

*Superior Court
Corydon*

L A W S

OF THE

and

STATE OF INDIANA,

PASSED AND PUBLISHED AT THE THIRD SESSION

OF THE

GENERAL ASSEMBLY,

HELD AT CORYDON ON THE FIRST MONDAY IN DECEMBER, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTEEN.

TO WHICH IS PREFIXED

THE CONSTITUTION

OF THE

STATE OF INDIANA,

AND THE ACT OF CONGRESS AUTHORISING A
STATE GOVERNMENT.

—●●●●●—
(BY AUTHORITY.)

—*—
CORYDON:

PRINTED AND PUBLISHED BY A. AND J. BRANDON,
PRINTERS TO THE STATE.

Brandon

1819.

ACT OF CONGRESS.

AN ACT to enable the people of the Indiana Territory to form a Constitution and State Government. and for the admission of such State into the Union on an equal footing with the original States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of the territory of Indiana be, and they are hereby authorised, to form for themselves a Constitution and state government, and to assume such name as they shall deem proper; and the said state, when formed, shall be admitted into the Union upon the same footing with the original states, in all respects whatever.

Inhabitants authorised to form a government with such name as they please--to be admitted into the union.

SEC. 2. And be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to wit: bounded on the east by the meridian line which forms the western boundary of the state of Ohio; on the south, by the river Ohio, from the mouth of the Great Miami river to the mouth of the river Wabash; on the west, by a line drawn along the middle of the Wabash, from its mouth to a point where a due north line drawn from the town of Vincennes would last touch the north western shore of the said river; and from thence by a due north line, until the same shall intersect an east and west line drawn through a point ten miles north of the southern extreme of lake Michigan; on the

Limits.

Proviso.

north, by the said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the state of Ohio: *Provided*, that the Convention hereinafter provided for, when formed, shall ratify the boundaries aforesaid; otherwise they shall be and remain as now prescribed by the ordinance for the government of the territory north west of the river Ohio: *Provided also*, that the said state shall have concurrent jurisdiction on the river Wabash, with the state to be formed west thereof, so far as the said river shall form a common boundary to both.

Qualifications of electors of members of the convention.

SEC. 3. *And be it further enacted*, That all male citizens of the United States, who shall have arrived at the age of twenty one years, and resided within the said territory at least one year previous to the day of election, and shall have paid a county or territorial tax; and all persons having, in other respects the legal qualifications to vote for representatives in the general assembly of the said territory, be, and they are hereby authorised to choose representatives to form a convention, who shall be apportioned amongst the several counties within the said territory, according to the apportionment made by the legislature thereof, at their last session, to wit: from the county of Wayne, four representatives; from the county of Franklin, five representatives; from the county of Dearborn, three representatives; from the county of Switzerland, one representative; from the county of Jefferson, three representatives; from the county of Clark, five representatives; from the coun-

Apportionment among the counties of the members.

ty of Harrison, five representatives; from the county of Washington, five representatives; from the county of Knox, five representatives; from the county of Gibson, four representatives; from the county of Posey, one representative; from the county of Warrick, one representative; & from the county of Perry, one representative. And the election for the representatives aforesaid, shall be holden on the second Monday of May, one thousand eight hundred and sixteen, throughout the several counties in the said territory; and shall be conducted in the same manner, and under the same penalties, as prescribed by the laws of said territory, regulating elections therein for members of the house of representatives.

SEC. 4. *And be it further enacted*, That the members of the convention, thus duly elected, be, and they are hereby authorised, to meet at the seat of government of the said territory on the second Monday of June next; which convention, when met, shall first determine, by a majority of the whole number elected, whether it be, or be not expedient, at that time, to form a constitution and state government for the people within the said territory; and if it be determined to be expedient, the convention shall be, and hereby are, authorised to form a constitution and state government: or if it be deemed more expedient, the said convention shall provide by ordinance for electing representatives to form a constitution or frame of government, which said representatives shall be chosen in such manner, and in such proportion, and shall meet at such time and

Time and place of the meeting of the convention —

Its powers and duties.

Proviso.

place, as shall be prescribed by the said ordinance: and shall then form, for the people of said territory, a constitution and state government: *Provided*, that the same, whenever formed, shall be republican, and not repugnant to those articles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty seven, which are declared to be irrevocable between the original states and the people and states of the territory north west of the river Ohio; excepting so much of said articles as relate to the boundaries of the states therein to be formed.

The newly created state entitled to 1 representative in the house of representatives of the United States until another census.

Propositions on the part of the U. S. offered to the convention of the territory. If accepted to be obligatory upon the U. S.

SEC. 5. *And be it further enacted*, That until the next general census shall be taken, the said state shall be entitled to one representative in the house of representatives of the United States.

SEC. 6. *And be it further enacted*, That the following propositions be, and the same are hereby offered to the convention of the said territory of Indiana, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

First. That the section numbered sixteen, in every township, and when such section has been sold, granted or disposed of, other lands equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township for the use of schools.

Second, That all salt springs within the said territory, and the land reserved for the use of the same, together with such other lands as may, by the President of

the United States, be deemed necessary and proper for working the said salt springs, not exceeding, in the whole, the quantity contained in thirty-six entire sections shall be granted to the said state, for the use of the people of the said state, the same to be used under such terms, conditions, and regulations as the legislature of said state shall direct: provided the said legislature shall never sell nor lease the same, for a longer period than ten years at any one time.

Specific propositions.

Third. That five per cent of the net proceeds of the lands lying within the said territory, and which shall be sold by Congress from and after the first day of December next, after deducting all expences incident to the same, shall be reserved for making Public roads and Canals, of which three fifths shall be applied to those objects within the said state, under the direction of the legislature thereof, and two fifths to the making of a road or roads leading to the said state under the direction of Congress.

Fourth. That one entire township, which shall be designated by the President of the United States, in addition to the one heretofore reserved for that purpose, shall be reserved for the use of a Seminary of learning, and vested in the legislature of the said state, to be appropriated solely to the use of such Seminary by the said legislature.

Fifth. That four sections of land be, and the same are hereby granted to the said state, for the purpose of fixing their seat of government thereon, which four sections shall, under the direction of the legislature of said state, be located at any time, in such town-

ship and range, as the legislature aforesaid may select, on such lands as may hereafter be acquired by the United States, from the Indian tribes within the said territory: *Provided*, That such locations shall be made prior to the public sale of the lands of the United States, surrounding such location: *And provided always*, That the five foregoing propositions, herein offered, are, on the conditions that the convention of the said state shall provide by an ordinance irrevocable, without the consent of the U. States, that every and each tract of land sold by the United States, from and after the first day of December next, shall be and remain exempt from any tax, laid by order or under any authority of the state, whether for state, county or township, or any other purpose whatever, for the term of five years, from and after the day of sale.

[*Approved, April 19, 1816.*]

THE
CONSTITUTION
OF THE
STATE OF INDIANA.

WE the Representatives of the people of the territory of Indiana, in convention met, at Corydon, on Monday the tenth day of June, in the year of our Lord eighteen hundred and sixteen, and of the independence of the United States the fortieth, having the right of admission into the general government as a member of the Union, consistent with the Constitution of the United States, the ordinance of Congress of one thousand seven hundred and eighty seven, and the law of Congress entitled "an act to enable the people of the Indiana territory to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States," in order to establish justice, promote the welfare, and secure the blessings of liberty to ourselves and our posterity; do ordain and establish the following Constitution or form of government; and do mutually agree with each other to form ourselves into a free and independent state, by the name of the State of Indiana.

ARTICLE I.

SEC. 1. That the general, great, and essential principles of liberty and free government may be recognized, and unalterably established: **WE DECLARE**, That all men are born equally free and independent, and

have certain natural, inherent, and unalienable rights; among which are, the enjoying and defending life and liberty, and of acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety.

SEC. 2. That all power is inherent in the people; and all free governments are founded on their authority, and instituted for their peace, safety and happiness. For the advancement of these ends, they have, at all times, an unalienable and indefeasible right to alter or reform their government in such manner as they may think proper.

SEC. 3. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences: That no man shall be compelled to attend, erect, or support any place of worship, or to maintain any ministry against his consent: That no human authority can, in any case whatever, control or interfere with the rights of conscience: And that no preference shall ever be given by law, to any religious societies or modes of worship; and no religious test shall be required as a qualification to any office of trust or profit.

SEC. 4. That elections shall be free and equal.

SEC. 5. That in all civil cases, where the value in controversy shall exceed the sum of twenty dollars, and in all criminal cases, except in petit misdemeanors, which shall be punished by fine only, not exceeding three dollars, in such manner as the legislature may prescribe by law, the right of trial by jury shall remain inviolate.

SEC. 6. That no power of suspending the operation of the laws shall be exercised, except by the legislature or its authority.

SEC. 7. That no man's particular services shall be demanded, or property taken or applied to public use, without the consent of his representatives, or without a just compensation being made therefor.

SEC. 8. The rights of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

SEC. 9. That the printing presses shall be free to every person who undertakes to examine the proceedings of the legislature, or any branch of government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man; and every citizen may freely speak, write, and print, on any subject, being responsible for the abuse of that liberty.

SEC. 10. In prosecutions for the publication of papers investigating the official conduct of officers, or men in a public capacity, or where the matter published is proper for the public information, the truth thereof may be given in evidence; and in all indictments for libels, the jury shall have a right to determine the law and the facts, under the direction of the court, as in other cases.

SEC. 11. That all courts shall be open, and every person, for an injury done him, in his lands, goods, person or reputation, shall have remedy by the due course of law; and right and justice administered without denial or delay.

SEC. 12. That no person arrested, or confined in jail, shall be treated with unnecessary rigor, or be put to answer any criminal charge but by presentment, indictment, or impeachment.

SEC. 13. That in all criminal prosecutions, the accused hath a right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor; and in prosecutions by indict-

ment or presentment, a speedy public trial by an impartial jury of the county or district in which the offence shall have been committed; and shall not be compelled to give evidence against himself, nor shall be twice put in jeopardy for the same offence.

SEC. 14. That all persons shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident, or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety may require it.

SEC. 15. Excessive bail shall not be required; excessive fines shall not be imposed, nor cruel and unusual punishments inflicted.

SEC. 16. All penalties shall be proportioned to the nature of the offence.

SEC. 17. The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up his estate, for the benefit of his creditor or creditors, in such manner as shall be prescribed by law.

SEC. 18. No ex post facto law, nor any law impairing the validity of contracts, shall ever be made, and no conviction shall work corruption of blood, nor forfeiture of estate.

SEC. 19. That the people have a right to assemble together, in a peaceable manner, to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances.

SEC. 20. That the people have a right to bear arms for the defence of themselves, and the State; and that the military shall be kept in strict subordination to the civil power.

SEC. 21. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

SEC. 22. That the legislature shall not grant any title of nobility, or hereditary distinctions, nor create any office the appointment to which shall be for a longer term than good behaviour.

SEC. 23. That emigration from the State shall not be prohibited.

SEC. 24. To guard against any encroachments on the rights herein retained, we declare, that every thing in this article is excepted out of the general powers of government, and shall forever remain inviolable.

ARTICLE II.

The powers of the government of Indiana shall be divided into three distinct departments, and each of them be confided to a separate body of magistracy, to wit: Those which are legislative, to one; those which are executive, to another; and those which are judiciary, to another: And no person, or collection of persons, being of one of those departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted.

ARTICLE III.

SEC. 1. The legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both to be elected by the people.

SEC. 2. The General Assembly may, within two years after their first meeting, and shall, in the year eighteen hundred and twenty, and every subsequent term of five years, cause an enumeration to be made of all the white male inhabitants above the age of twenty-one years. The number of Representatives shall, at the several periods of making such enumeration, be fixed by the General Assembly, and apportioned among the several counties, according to the number of white male inhabitants above twenty-one years of age, in

each; and shall never be less than twenty-five nor greater than thirty-six, until the number of white male inhabitants above twenty one years of age, shall be twenty-two thousand; and after that event, at such ratio that the whole number of Representatives shall never be less than thirty-six nor exceed one hundred.

SEC. 3. The Representatives shall be chosen annually, by the qualified electors of each county, respectively, on the first Monday of August.

SEC. 4. No person shall be a Representative, unless he shall have attained the age of twenty-one years; and shall be a citizen of the United States, and an inhabitant of this state; and shall also have resided within the limits of the county in which he shall be chosen, one year next preceeding his election, if the county shall have been so long erected; but if not, then within the limits of the county or counties out of which it shall have been taken, unless he shall have been absent on the public business of the United States, or of this state, and shall have paid a state or county tax.

SEC. 5. The Senators shall be chosen for three years, on the first Monday in August, by the qualified voters for Representatives; and on their being convened, in consequence of the first election, they shall be divided by lot, from their respective counties or districts, as near as can be, into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the first year; & the second class at the expiration of the second year, & of the third class, at the expiration of the third year; so that one third thereof, as near as possible, may be annually chosen, forever thereafter.

SEC. 6. The number of Senators shall, at the several periods of making the enumeration before mentioned, be fixed by the general assembly, and apportioned among the several counties or districts, to be established by law, according to the number of white male inhabi-

tants of the age of twenty-one years in each, and shall never be less than one third, nor more than one half of the number of Representatives.

SEC. 7. No person shall be a Senator unless he shall have attained the age of twenty-five years, and shall be a citizen of the United States, and shall, next preceeding the election, have resided two years in the state, the last twelve months of which, in the county or district in which he may be elected, if the county or district shall have been so long erected; but if not, then within the limits of the county or counties, district or districts, out of which the same shall have been taken; unless he shall have been absent on the public business of the United States, or of this state, and shall moreover, have paid a state or county tax.

SEC. 8. The House of Representatives, when assembled, shall choose a speaker, and its other officers: and the Senate shall choose its officers, except the President: and each shall be judges of the qualifications and elections of its members, and sit upon its own adjournments. Two-thirds of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day; and compel the attendance of absent members.

SEC. 9. Each House shall keep a journal of its proceedings, and publish them. The yeas and nays of the members, on any question, shall, at the request of any two of them, be entered on the journals.

SEC. 10. Any one member of either House shall have liberty to dissent from, and protest against, any act or resolution, which he may think injurious to the public, or any individual or individuals, and have the reason of his dissent entered on the journals.

SEC. 11. Each House may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause; and

shall have all other powers necessary for a branch of the Legislature of a free and independent state.

SEC. 12. When vacancies happen in either branch of the General Assembly, the Governor, or the person exercising the power of Governor, shall issue writs of election to fill such vacancies.

SEC. 13. Senators and Representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest, during the session of the General Assembly, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

SEC. 14. Each house may punish, by imprisonment, during their session, any person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behaviour in their presence: provided such imprisonment shall not, at any one time, exceed twenty four hours.

SEC. 15. The doors of each house, and of committees of the whole, shall be kept open, except in such cases as, in the opinion of the house, may require secrecy. Neither house shall, without the consent of the other, adjourn for more than two days, nor to any other place than that in which the two houses shall be sitting.

SEC. 16. Bills may originate in either house, but may be altered, amended or rejected, by the other.

SEC. 17. Every bill shall be read on three different days in each house, unless, in case of urgency, two thirds of the house, where such bill may be depending, shall deem it expedient to dispense with this rule: And every bill, having passed both houses, shall be signed by the President and Speaker of their respective houses.

SEC. 18. The style of the laws of this state shall be, "Be it enacted by the General Assembly of the state of Indiana."

SEC. 19. All bills for raising revenue shall originate

in the House of Representatives, but the Senate may amend or reject, as in other bills.

SEC. 20. No person, holding any office under the authority of the President of the United States, or of this state, militia officers excepted, shall be eligible to a seat in either branch of the General Assembly, unless he resign his office previous to his election; nor shall any member of either branch of the General Assembly, during the time for which he is elected, be eligible to any office, the appointment of which is vested in the General Assembly: *Provided*, That nothing in this constitution shall be so construed as to prevent any member of the first session of the first General Assembly from accepting any office that is created by this constitution, or the constitution of the United States, and the salaries of which are established.

SEC. 21. No money shall be drawn from the treasury but in consequence of appropriations made by law.

SEC. 22. An accurate statement of the receipts and expenditures of the public money shall be attached to, and published with, the laws, at every annual session of the general assembly.

SEC. 23. The house of representatives shall have the sole power of impeaching; but a majority of all the members elected must concur in such impeachment. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall be upon oath or affirmation, to do justice according to law and evidence. No person shall be convicted without the concurrence of a majority of all the senators elected.

SEC. 24. The governor and all civil officers of the state, shall be removed from office, on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors; but judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust under this state. The party, whether convicted or ac-

quitted, shall, nevertheless, be liable to indictment, trial, judgment, and punishment, according to law.

SEC. 25. The first session of the general assembly shall commence on the first Monday of November next; and forever after, the general assembly shall meet on the first Monday in December, in every year, and at no other period, unless directed by law, or provided for by this constitution.

SEC. 26. No person, who hereafter may be a collector, or holder of public money, shall have a seat in either house of the general assembly, until such person shall have accounted for, and paid into the treasury, all sums for which he may be accountable.

ARTICLE IV.

SEC. 1. The supreme executive power of this state shall be vested in a governor, who shall be styled, the Governor of the state of Indiana.

SEC. 2. The governor shall be chosen by the qualified electors, on the first Monday in August, at the places where they shall respectively vote for representatives. The returns of every election for governor shall be sealed up, and transmitted to the seat of government, directed to the speaker of the house of representatives, who shall open and publish them in the presence of both houses of the general assembly. The person having the highest number of votes shall be governor; but if two or more shall be equal, and highest in votes, one of them shall be chosen governor by the joint vote of the members of both houses. Contested elections shall be determined by a committee to be selected from both houses of the general assembly, and formed and regulated in such manner as shall be directed by law.

SEC. 3. The governor shall hold his office during three years, from and after the third day of the first session of the general assembly, next ensuing his election, and until a successor shall be chosen and qualified, and

shall not be capable of holding it longer than six years in any term of nine years.

SEC. 4. He shall be at least thirty years of age, and shall have been a citizen of the United States ten years, and have resided in the state five years next preceeding his election; unless he shall have been absent on the business of this state, or of the United States: *Provided*, That this shall not disqualify any person from the office of governor, who shall be a citizen of the United States, and shall have resided in the Indiana territory two years next preceeding the adoption of this constitution.

SEC. 5. No member of congress, or person holding any office under the United States, or this state, shall exercise the office of governor or lieutenant governor.

SEC. 6. The governor shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the term for which he shall have been elected.

SEC. 7. He shall be commander in chief of the army and navy of of this state, and of the militia thereof, except when they shall be called into the service of the United States; but he shall not command personally in the field, unless he shall be advised so to do by a resolution of the general assembly.

SEC. 8. He shall nominate, and by and with the advice and consent of the senate, appoint and commission all officers, the appointment of which is not otherwise directed by this constitution; and all offices which may be created by the general assembly, shall be filled in such manner as may be directed by law.

SEC. 9. Vacancies that may happen in offices, the appointment of which is vested in the governor and senate, or in the general assembly, shall be filled by the governor, during the recess of the general assembly, by granting commissions that shall expire at the end of the next session.

SEC. 10. He shall have power to remit fines and forfeitures, grant reprieves and pardons, except in cases of impeachments.

SEC. 11. He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices.

SEC. 12. He shall, from time to time, give to the general assembly information of the affairs of the state, and recommend to their consideration such measures as he shall deem expedient.

SEC. 13. He may, on extraordinary occasions, convene the general assembly at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy, or from contagious disorders; and in case of disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the time of their next annual session.

SEC. 14. He shall take care that the laws be faithfully executed.

SEC. 15. A lieutenant governor shall be chosen at every election for a governor, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for governor and lieutenant governor, the electors shall distinguish whom they vote for as governor, and whom as lieutenant governor.

SEC. 16. He shall, by virtue of his office, be president of the senate, have a right, when in committee of the whole, to debate, and vote on all subjects, and when the senate are equally divided, to give the casting vote.

SEC. 17. In case of impeachment of the governor, his removal from office, death, refusal to qualify, resignation, or absence from the state, the lieutenant governor shall exercise all the powers and authority appertaining to the office of governor, until another be duly qual-

ified, or the governor absent or impeached, shall return or be acquitted.

SEC. 18. Whenever the government shall be administered by the lieutenant governor, or he shall be unable to attend as president of the senate, the senate shall elect one of their own members as president for that occasion. And if, during the vacancy of the office of governor, the lieutenant governor shall be impeached, removed from office, refuse to qualify, resign, die, or be absent from the state, the president of the senate pro tem. shall, in like manner, administer the government, until he shall be superseded by a governor, or lieutenant governor. The lieutenant governor, while he acts as president of the senate, shall receive for his services, the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives, and no more: And during the time he administers the government, as governor, shall receive the same compensation which the governor would have received and been entitled to had he been employed in the duties of his office, and no more.

SEC. 19. The president pro tempore of the senate, during the time he administers the government, shall receive, in like manner, the same compensation which the governor would have received had he been employed in the duties of his office, and no more.

SEC. 20. If the lieutenant governor shall be called upon to administer the government, and shall, while in such administration, resign, die, or be absent from the state, during the recess of the general assembly, it shall be the duty of the secretary of state, for the time being, to convene the senate for the purpose of choosing a president pro tempore.

SEC. 21. A secretary of state shall be chosen by the joint ballot of both houses of the general assembly, and be commissioned by the governor for four years, or until a new secretary be chosen and qualified. He shall

keep a fair register, and attest all the official acts and proceedings of the governor: and shall, when required, lay the same, and all papers, minutes, and vouchers, relative thereto, before either house of the general assembly; and shall perform such other duties as may be enjoined him by law.

SEC. 22. Every bill which shall have passed both houses of the general assembly, shall be presented to the governor: if he approve he shall sign it; but if not he shall return it, with his objections, to the house in which it shall have originated, who shall enter the objections at large upon their journals, and proceed to reconsider it. If, after such reconsideration, a majority of all the members elected to that house shall agree to pass the bill, it shall be sent, with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by a majority of all the members elected to that house, it shall be a law: but, in such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill, shall be entered on the journals of each house respectively. If any bill shall not be returned by the governor within five days (Sundays excepted, after it shall have been presented to him, it shall be a law, in like manner as if he had signed it; unless the general adjournment prevents its return; in which case it shall be a law, unless sent back within three days after their next meeting.

SEC. 23. Every resolution to which the concurrence of both houses may be necessary, shall be presented to the governor, and before it shall take effect, be approved by him, or being disapproved, shall be repassed by a majority of all the members elected to both houses, according to the rules and limitations prescribed in case of a bill.

SEC. 24. There shall be elected, by joint ballot of both houses of the general assembly, a treasurer, an au-

ditor, whose powers and duties shall be prescribed by law, and who shall hold their offices three years, and until their successors be appointed and qualified.

SEC. 25. There shall be elected in each county, by the qualified electors thereof, one sheriff, and one coroner, at the times and places of holding elections for members of the general assembly. They shall continue in office two years, and until successors shall be chosen and duly qualified: *Provided*, that no person shall be eligible to the office of sheriff more than four years in any term of six years.

SEC. 26. There shall be a seal of this state, which shall be kept by the governor, and used by him officially, and shall be called the seal of the state of Indiana.

ARTICLE V.

SEC. 1. The judiciary power of this state, both as to matters of law and equity, shall be vested in one supreme court, in circuit courts, and in such other inferior courts as the general assembly may from time to time direct and establish.

SEC. 2. The supreme court shall consist of three judges, any two of whom shall form a quorum, and shall have appellate jurisdiction only, which shall be co-extensive with the limits of the state, under such restrictions and regulations, not repugnant to this constitution, as may from time to time be prescribed by law: *Provided*, nothing in this article shall be so construed as to prevent the general assembly from giving the supreme court original jurisdiction in capital cases, and cases in chancery, where the president of the circuit court may be interested or prejudiced.

SEC. 3. The circuit courts shall each consist of a president, and two associate judges. The state shall be divided by law into three circuits, for each of which a president shall be appointed, who, during his continuance in office, shall reside therein. The president and

associate judges, in their respective counties, shall have common law and chancery jurisdiction, as also complete criminal jurisdiction in all such cases, and in such manner, as may be prescribed by law. The president alone, in the absence of the associate judges, or the president and one of the associate judges, in the absence of the other, shall be competent to hold a court; as also the two associate judges, in the absence of the president, shall be competent to hold a court, except in capital cases, and cases in chancery: *Provided*, that nothing herein contained shall prevent the general assembly from increasing the number of circuits and presidents, as the exigencies of the state may from time to time require.

SEC. 4. The judges of the supreme court, the circuit and other inferior courts, shall hold their offices during the term of seven years, if they shall so long behave well, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

SEC. 5. The judges of the supreme court shall, by virtue of their offices, be conservators of the peace throughout the state, as also the presidents of the circuit courts in their respective circuits, and the associate judges in their respective counties.

SEC. 6. The supreme court shall hold its sessions at the seat of government, at such times as shall be prescribed by law: And the circuit courts shall be held in the respective counties, as may be directed by law.

SEC. 7. The judges of the supreme court shall be appointed by the governor, by and with the advice and consent of the senate. The presidents of the circuit courts shall be appointed by joint ballot of both branches of the general assembly; and the associate judges of the circuit courts shall be elected by the qualified electors in the respective counties.

SEC. 8. The supreme court shall appoint its own

clerk, and the clerks of the circuit court, in the several counties, shall be elected by the qualified electors in the several counties; but no person shall be eligible to the office of clerk of the circuit court in any county, unless he shall first have obtained, from one or more of the judges of the supreme court, or from one or more of the presidents of the circuit courts, a certificate that he is qualified to execute the duties of the office of clerk of the circuit court: *Provided*, that nothing herein contained shall prevent the circuit courts, in each county, from appointing a clerk pro tem. until a qualified clerk may be duly elected: *And provided also*, that the said clerks respectively, when qualified and elected, shall hold their offices seven years, and no longer, unless re-appointed.

SEC. 9. All clerks shall be removable by impeachment, as in other cases.

SEC. 10. When any vacancies happen in any of the courts, occasioned by the death, resignation, or removal from office, of any judge of the supreme or circuit courts, or any of the clerks of the said courts, a successor shall be appointed in the same manner as herein before prescribed, who shall hold his office for the period which his predecessor had to serve, and no longer, unless re-appointed.

SEC. 11. The style of all process shall be—"The State of Indiana." All prosecutions shall be carried on in the name, and by the authority of the state of Indiana; and all indictments shall conclude, against the peace and dignity of the same.

SEC. 12. A competent number of justices of the peace shall be elected by the qualified electors in each township, in the several counties; and shall continue in office five years, if they shall so long behave well; whose powers and duties shall, from time to time, be regulated and defined by law.

ARTICLE VI.

SEC. 1. In all elections not otherwise provided for by this constitution, every white male citizen of the United States, of the age of twenty one years and upwards, who has resided in the state one year immediately preceeding such election, shall be entitled to vote, in the county where he resides; except such as shall be enlisted in the army of the United States, or their allies.

SEC. 2. All elections shall be by ballot: *Provided*, that the general assembly may, (if they deem it more expedient) at their session in eighteen hundred and twenty one, change the mode, so as to vote *viva voce*; after which time it shall remain unalterable.

SEC. 3. Electors shall, in all cases, except treason, felony, or breach of the peace, be free from arrest, in going to, during their attendance at, and in returning home from elections.

SEC. 4. The general assembly shall have full power to exclude from electing or being elected, any person convicted of any infamous crime.

SEC. 5. Nothing in this article shall be so construed as to prevent citizens of the United States, who were actual residents at the time of adopting this constitution, and who by the existing laws of this territory are entitled to vote, or persons who have been absent from home on a visit, or necessary business, from the privilege of electors.

ARTICLE VII.

SEC. 1. The militia of the State of Indiana shall consist of all free, able bodied male persons, negroes, mulattoes and Indians excepted, resident in the said state, between the ages of eighteen and forty-five years; except such persons as now are, or hereafter may be, exempted by the laws of the United States, or of this state; and shall be armed, equipped, and trained, as the general assembly may provide by law.

SEC. 2. No person or persons conscientiously scrupulous of bearing arms, shall be compelled to do militia duty: *Provided*, such person or persons shall pay an equivalent for such exemption: which equivalent shall be collected annually by a civil officer, and be hereafter fixed by law; and shall be equal, as near as may be, to the lowest fines assessed on those privates in the militia who may neglect or refuse to perform militia duty.

SEC. 3. Captains and subalterns shall be elected by those persons, in their respective company districts, who are subject to perform militia duty; and the captain of each company shall appoint the non-commissioned officers to said company.

SEC. 4. Majors shall be elected by those persons, within the bounds of their respective battalion districts, subject to perform militia duty: and colonels shall be elected by those persons, within the bounds of their respective regimental districts, subject to perform militia duty.

SEC. 5. Brigadier Generals shall be elected by the commissioned officers within the bounds of their respective brigades; and major-generals shall be elected by the commissioned officers within the bounds of their respective divisions.

SEC. 6. Troops and squadrons of cavalry, and companies of artillery, riflemen grenadiers, or light infantry, may be formed, in the said state, in such manner as shall be prescribed by law: *Provided, however*, that every troop or squadron of cavalry, company of artillery, riflemen, grenadiers, or light infantry, which may hereafter be formed within the said state, shall elect their own officers.

SEC. 7. The governor shall appoint the adjutant-general and quarter-master generals, as also his aids-de-camp.

SEC. 8. Major generals shall appoint their aids-de-camp, and all other division staff officers; brigadier-ge-

nerals shall appoint their brigade-majors, and all other brigade staff officers; and colonels shall appoint their regimental staff officers.

SEC. 9. All militia officers shall be commissioned by the governor, and shall hold their commissions during good behaviour, or until they shall arrive at the age of sixty years.

SEC. 10. The general assembly shall, by law, fix the method of dividing the militia of the said state into divisions, brigades, regiments, battalions and companies, and shall also fix the rank of all staff officers.

ARTICLE VIII.

Every twelfth year after this constitution shall have taken effect, at the general election held for governor, there shall be a poll opened, in which the qualified electors of the state, shall express, by vote, whether they are in favor of calling a convention or not; and if there should be a majority of all the votes given at such election, in favor of a convention, the governor shall inform the next general assembly thereof, whose duty it shall be to provide, by law, for the election of the members to the convention, the number thereof, and the time and place of their meeting; which law shall not be passed unless agreed to by a majority of all the members elected to both branches of the general assembly; and which convention, when met shall have it in their power to revise, amend, or change the constitution. But, as the holding any part of the human creation in slavery, or involuntary servitude, can only originate in usurpation and tyranny, no alteration of this constitution shall ever take place so as to introduce slavery or involuntary servitude in this state, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted.

ARTICLE IX.

SEC. 1. Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government, and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to this end, it shall be the duty of the general assembly to provide by law, for the improvement of such lands as are, or hereafter may be granted by the United States to this state for the use of schools, and to apply any funds which may be raised from such lands, or from any other quarter, to the accomplishment of the grand object for which they are or may be intended: but no lands granted for the use of schools or seminaries of learning shall be sold by authority of this state prior to the year eighteen hundred and twenty; and the monies which may be raised out of the sale of any such lands, or otherwise obtained for the purposes aforesaid, shall be and remain a fund for the exclusive purpose of promoting the interest of literature and the sciences, and for the support of seminaries and public schools. The general assembly shall, from time to time, pass such laws as shall be calculated to encourage intellectual, scientific and agricultural improvement, by allowing rewards and immunities for the promotion and improvement of arts, sciences, commerce, manufactures, and natural history; and to countenance and encourage the principles of humanity, industry and morality.

SEC. 2. It shall be the duty of the general assembly, as soon as circumstances will permit, to provide, by law, for a general system of education, ascending in a regular gradation from township schools to a state university, wherein tuition shall be gratis and equally open to all.

SEC. 3. And for the promotion of such salutary end, the money which shall be paid as an equivalent by persons exempt from militia duty, except in times of war, shall be exclusively, and in equal proportion, applied

to the support of county seminaries : also all fines assessed for any breach of the penal laws, shall be applied to said seminaries, in the counties wherein they shall be assessed.

SEC. 4. It shall be the duty of the general assembly, as soon as circumstances will permit, to form a penal code, founded on the principles of reformation, and not of vindictive justice : And also to provide one or more farms, to be an asylum for those persons who, by reason of age, infirmity, or other misfortunes, may have a claim upon the aid and benevolence of society, on such principles that such persons may therein find employment, and every reasonable comfort, and lose, by their usefulness, the degrading sense of dependence.

SEC. 5. The general assembly, at the time they lay off a new county, shall cause at least ten per cent. to be reserved out of the proceeds of the sale of town lots, in the seat of justice of such county, for the use of a public library for such county ; and at the same session, they shall incorporate a library company, under such rules and regulations as will best secure its permanence and extend its benefits.

ARTICLE X.

SEC. 1. There shall not be established or incorporated, in this state, any bank or banking company, or monied institution, for the purpose of issuing bills of credit, or bills payable to order or bearer : *Provided*, That nothing herein contained shall be so construed as to prevent the general assembly from establishing a state bank, and branches, not exceeding one branch for any three counties, to be established at such place, within such counties, as the directors of the state bank may select ; provided there be subscribed, and paid, in specie, on the part of individuals, a sum equal to thirty thousand dollars : *Provided also*, That the bank at Vincennes, and the Farmers' and Mechanics' bank of Indiana, at

Madison, shall be considered as incorporated banks, according to the true tenor of the charters granted to said banks by the legislature of the Indiana territory : *Provided*, That nothing herein contained shall be so construed as to prevent the general assembly from adopting either of the aforesaid banks as the state bank : And in case either of them shall be adopted as the state bank, the other may become a branch, under the rules and regulations herein before prescribed.

ARTICLE XI.

SEC. 1. Every person who shall be chosen or appointed to any office of trust or profit, under the authority of this state, shall, before entering on the duties of said office, take an oath or affirmation, before any person lawfully authorised to administer oaths, to support the constitution of the United States, and the constitution of this state, and also an oath of office.

SEC. 2. Treason against this state shall consist only in levying war against it, in adhering to its enemies, or giving them aid and comfort.

SEC. 3. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or his own confession in open court.

SEC. 4. The manner of administering an oath or affirmation shall be such as is most consistent with the conscience of the deponent, and shall be esteemed the most solemn appeal to God.

SEC. 5. Every person shall be disqualified from serving as governor, lieutenant governor, senator, or representative, for the term for which he shall have been elected, who shall have been convicted of having given or offered any bribe, treat, or reward, to procure his election.

SEC. 6. All officers shall reside within the state ; and all district, county, or town officers, within their

respective districts, counties, or towns, (the trustees of the town of Carksville excepted) and shall keep their respective offices at such places therein as may be directed by law; and all militia officers shall reside within the bounds of the division, brigade, regiment, battalion or company, to which they may severally belong.

SEC. 7. There shall be neither slavery nor involuntary servitude in this state, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted. Nor shall any indenture of any negro or mulatto hereafter made and executed out of the bounds of this state, be of any validity within the state.

SEC. 8. No act of the general assembly shall be in force until it shall have been published in print, unless in cases of emergency.

SEC. 9. All commissions shall be in the name, and by the authority, of the state of Indiana, and sealed with the state seal, and signed by the governor, and attested by the secretary of state.

SEC. 10. There shall be elected in each county, a recorder, who shall hold his office during the term of seven years if he shall so long behave well: *Provided*, That nothing herein contained shall prevent the clerks of the circuit courts from holding the office of recorder.

SEC. 11. Corydon, in Harrison county, shall be the seat of government of the state of Indiana until the year eighteen hundred and twenty-five, and until removed by law.

SEC. 12. The general assembly, when they lay off any new county, shall not reduce the old county, or counties, from which the same shall be taken, to a less content than four hundred square miles.

SEC. 13. No person shall hold more than one lucrative office at the same time, except as in this constitution expressly permitted.

SEC. 14. No person shall be appointed as a county

officer, within any county, who shall not have been a citizen and an inhabitant therein one year next preceding his appointment, if the county shall have been so long erected; but if the county shall not have been so long erected, then within the limits of the county or counties out of which it shall have been taken.

SEC. 15. All town and township officers shall be appointed in such manner as shall be directed by law.

SEC. 16. The following officers of government shall not be allowed greater annual salaries, until the year eighteen hundred and nineteen, than as follows—the governor, one thousand dollars; the secretary of state, four hundred dollars; the auditor of public accounts, four hundred dollars; the treasurer, four hundred dollars; the judges of the supreme court, eight hundred dollars each; the presidents of the circuit courts, eight hundred dollars each; and the members of the general assembly, not exceeding two dollars per day each, during their attendance on the same; and two dollars for every twenty-five miles they shall severally travel, on the most usual route in going to, and returning from, the general assembly; after which time, their pay shall be regulated by law. But no law, passed to increase the pay of the members of the general assembly, shall take effect until after the close of the session at which such law shall have been passed.

SEC. 17. In order that the boundaries of the state of Indiana may more clearly be known and established, it is hereby ordained and declared, that the following shall be, and forever remain, the boundaries of the said state, to wit: bounded on the east, by the meridian line which forms the western boundary of the state of Ohio; on the south by the Ohio river, from the mouth of the Great Miami river to the mouth of the river Wabash; on the west, by a line drawn along the middle of the Wabash river, from its mouth to a point, where a due north line drawn, from the town of Vincennes

would last touch the northwestern shore of the said Wabash river: and from thence, by a due north line until the same shall intersect an east and west line drawn through a point ten miles north of the southern extreme of lake Michigan; on the north, by said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the state of Ohio.

ARTICLE XII.

SEC. 1. That no evils or inconvenience may arise from the change of a territorial government to a permanent state government, it is declared by this constitution, that all rights, suits, actions, prosecutions, recognizances, contracts, and claims, both as it respects individuals and bodies corporate, shall continue as if no change had taken place in this government.

SEC. 2. All fines, penalties, and forfeitures, due and owing to the territory of Indiana, or any county therein, shall inure to the use of the state or county. All bonds executed to the governor, or any other officer, in his official capacity in the territory, shall pass over to the governor, or other officers of the state or county, and their successors in office, for the use of the state or county or by him or them to be respectively assigned over to the use of those concerned, as the case may be.

SEC. 3. The governor, secretary, and judges, and all other officers, both civil and military, under the territorial government, shall continue in the exercise of the duties of their respective departments, until the said officers are superseded under the authority of this constitution.

SEC. 4. All laws and parts of laws now in force in this territory, not inconsistent with this constitution, shall continue and remain in full force and effect until they expire, or be repealed.

SEC. 5. The governor shall use his private seal until a state seal be procured.

SEC. 6. The governor, secretary of state, auditor of public accounts and treasurer, shall severally reside and keep all the public records, books and papers, in any manner relating to their respective offices, at the seat of government: *Provided notwithstanding*, That nothing herein contained shall be so construed as to affect the residence of the governor for the space of six months, and until buildings suitable for his accommodation, shall be procured at the expense of the state.

SEC. 7. All suits, pleas, complaints, and other proceedings now depending in any court of record, or justices courts, shall be prosecuted to final judgment and execution, and all appeals, writs of error, certiorari, injunction, or other proceedings whatever, shall progress, and be carried on, in the respective court or courts, in the same manner as is now provided by law, and all proceedings had therein, in as full and complete a manner as if this constitution were not adopted. And appeals and writs of error, may be taken from the circuit court, and general court, now established in the Indiana territory, to the supreme court in such manner as shall be provided for by law.

SEC. 8. The president of this convention shall issue writs of election, directed to the several sheriffs of the several counties, requiring them to cause an election to be held for governor, lieutenant governor, representative to the congress of the United States, members of the general assembly, sheriffs, and coroners, at the respective election districts in each county, on the first Monday in August next: Which election shall be conducted in the manner prescribed by the existing election laws of the Indiana territory; and the said governor, lieutenant governor, members of the general assembly, sheriffs, and coroners, then duly elected, shall continue to exercise the duties of their respective offices for the

time prescribed by this constitution, and until their successor or successors are qualified and no longer.

SEC. 9. Until the first enumeration shall be made, as directed by this constitution, the county of Wayne shall be entitled to one senator, and three representatives; the county of Franklin, one senator, and three representatives; the county of Dearborn, one senator, and two representatives; the county of Switzerland, one representative; and the county of Jefferson and Switzerland, one senator, and the county of Jefferson, two representatives; the county of Clark, one senator, and three representatives; the county of Harrison, one senator, and three representatives; the counties of Washington, Orange, and Jackson, one senator, and the county of Washington, two representatives; the counties of Orange and Jackson, one representative each; the county of Knox, one senator, and three representatives; the county of Gibson, one senator, and two representatives; the counties of Posey, Warrick, and Perry, one senator, and each of the aforesaid counties of Posey, Warrick, and Perry, one representative.

SEC. 10. All books, records, documents, warrants and papers, appertaining and belonging to the office of the territorial treasurer of the Indiana territory, and all monies therein, and all papers and documents in the office of the secretary of said territory, shall be disposed of as the general assembly of this state may direct.

SEC. 11. All suits, actions, pleas, complaints, prosecutions and causes whatsoever; and all records, books, papers and documents now in the general court, may be transferred to the supreme court established by this constitution: And all causes, suits, actions, pleas, complaints, and prosecutions whatsoever, now existing or pending in the circuit courts of this territory, or which may be therein at the change of government; and all records, books, papers and documents, relating to the said suits, or filed in the said courts, may be transferred over to the

circuit courts established by this constitution, under such rules and regulations as the general assembly may direct.

Done in convention, at Corydon, on the twenty-ninth day of June, in the year of our Lord eighteen hundred and sixteen, and of the Independence of the United States the fortieth.

In witness whereof we have hereunto subscribed our names.

JONATHAN JENNINGS,
President of the Convention, and Delegate from the county of Clark.

Thomas Carr,
John K. Graham,
James Lemon,
James Scott,

Delegates in Convention from the county of Clark.

James Dill,
Ezra Ferris,
Solomon Manwaring,

Delegates in Convention from the county of Dearborn.

James Brownlee,
William H. Eads,
Robert Hanna,
Enoch M'Carty,
James Noble,

Delegates in Convention from the county of Franklin.

Alexander Devin,
Fred. Rapp
David Robb,
James Smith,

Delegates in Convention from the county of Gibson.

John Boone,
Davis Floyd,
Daniel C. Lane,
Dennis Pennington,
Patrick Shields,

Delegates in Convention from the county of Harrison.

Nath'l. Hunt,
David H. Maxwell,
Samuel Smock,

} *Delegates in Convention from
the county of Jefferson.*

John Badollet,
John Benefiel,
John Johnson,
William Polke,
B. Parke,

} *Delegates in Convention from
the county of Knox.*

Charles Polke, *Delegate from the county of Perry.*

Dann Lynn, *Delegate from the county of Posey.*

Wm. Cotton, *Delegate from the county of Switzerland.*

John De Pauw,
William Graham,
William Lowe,
Samuel Milroy,
Robert McIntire,

} *Delegates in Convention from
the county of Washington.*

Patrick Baird,
Jeremiah Cox,
Hugh Cull,
Joseph Holman,

} *Delegates in convention from
the county of Wayne.*

Attest,

WILLIAM HENDRICKS, *Secretary.*

ORDINANCE.

BE IT ORDAINED by the representatives of the people of the Territory of Indiana, in Convention met at Corydon, on Monday the tenth day of June, in the year of our Lord eighteen hundred and sixteen. That we do, for ourselves and our posterity, agree, determine, declare, and ordain, that we will, and do hereby, accept the propositions of the Congress of the United States, as made and contained in their act of the nineteenth day of April, eighteen hundred and sixteen, entitled "An Act to enable the people of the Indiana territory to form a state government and constitution, and for the admission of such state into the Union, on an equal footing with the original states."

And we do, further for ourselves and our posterity, hereby ratify, confirm, and establish, the boundaries of the said state of Indiana, as fixed, prescribed, laid down and established, in the act of Congress aforesaid; and we do also, further for ourselves and our posterity, hereby agree, determine, declare and ordain, that each and every tract of land sold by the United States, lying within the said state, and which shall be sold from and after the first day of December next, shall be and remain exempt from any tax laid by order or under any authority of the said state of Indiana, or by or under the authority of the general assembly thereof, whether for state, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale of any such tract of land: and we do, moreover, for ourselves and our posterity, hereby declare and ordain, that this ordinance, and every part thereof, shall forever be and remain irrevocable and inviolate, without the consent of the United States, in congress assembled, first had and obtained for the alteration thereof, or any part thereof.

JONATHAN JENNINGS,
President of the Convention.

June 29th, 1816—Attest.

WILLIAM HENDRICKS, *Secretary.*

LIST OF ACTS.

1. An act giving the supreme court original jurisdiction in certain cases in chancery.
2. An act to amend the act, entitled, "An act regulating the jurisdiction and duties of Justices of the Peace, approved January 28, 1818."
3. An act prescribing the mode of changing the *venue*.
4. An act providing for the summoning Juries in certain cases.
5. An act to amend the act entitled, "An act to divide the state into four circuits, and fixing the times of holding courts."
6. An act amendatory to an act, to prevent waste on lands reserved for schools and salt springs, approved January 29, 1818.
7. An act to amend an act, entitled, "An act to prevent manstealing."
8. An act to amend the act, entitled, "An act for assessing and collecting revenue."
9. An act to amend the act, respecting public Seminaries, and for other purposes.
10. An act for the benefit of debtors.
11. An act supplemental to the act, for opening and repairing public roads and highways.
12. An act authorising county commissioners to build public bridges, and for other purposes.
13. An act to authorise a state Medical society, in the state of Indiana.
14. An act to amend the act, entitled, "An act regulating grist mills and millers, approved January 29, 1818."
15. An act regulating the inspection of flour, beef and pork.
16. An act more effectually to prevent duelling.
17. An act to authorise clerks of the circuit courts

and their deputies to administer oaths, and sheriffs to transact business by deputy.

18. An act to exempt certain property from being subject to execution.

19. An act for the relief of sheriffs, and to legalize the proceedings of county commissioners.

20. An act amendatory to an act, entitled, "An act concerning clerks.

21. An act to repeal an act to encourage the killing of wolves, approved December 24, 1816.

22. An act supplemental to an act, authorising the granting letters testamentary, and letters of administration, for the settlement of intestate estates, and for other purposes.

23. An act supplemental to the act regulating the militia.

24. An act for the encouragement of Religion and learning.

25. An act making general appropriations for 1819.

26. An act for the formation of a new county out of the counties of Sullivan and Davies.

27. An act for the formation of a new county out of the counties of Clarke and Harrison,

28. An act for the formation of a new county out of the counties of Franklin and Wayne.

29. An act attaching part of Sullivan county, to the county of Vigo.

30. An act authorising Jane Dubois, executrix, and William Jones and Toussaint Dubois Exor's. of Toussaint Dubois dec'd. to sell and convey certain lands.

31. An act authorising Davies Floyd assignee of Harvey Heth dec'd. to record the balance of the town plat of Corydon.

22. An act authorising Stephen C. Stevens, his agent or agents, heirs or assigns to build a bridge over Plumb creek.

33. An act authorising the trustees of the town of

Hartford to convey certain lots for the benefit of a public Seminary in said town.

34. An act for the relief of Jacob Lewis and Willis Law.

35. An act for the relief of Abigail Dickerson admin'x. of Ebenezer Dickerson deceased.

36. An act to provide for the speedy printing of the local and special acts of the General Assembly.

37. An act to authorize the sale of a certain tract of land belonging to the estate of Asaph Chandler deceased.

38. An act to revive the act, entitled, "An act for incorporating the Roman Catholic church in Vincennes.

39. An act to authorize the printing and distributing the acts and Journals of the present General Assembly.

40. An act for the relief of John Hurst Junr. late sheriff of Harrison county.

41. An act to authorize the qualified electors of Perry county to elect certain officers and for other purposes.

42. An act authorizing Thomas Hempstead guardian of William H. Vanderburgh to convey ten acres of land as guardain to Francis Vigo.

43. An act for the relief of John Sturgeon.

44. An act to vacate a part of George-Town.

45. An act to erect a bridge over the mouth of Arnolds creek.

46. An act to divorce Sally Davidson from her husband Peter Davidson.

47. An act to vacate a part of the town of Laurenceburgh.

48. An act to authorize John Barricklow, and Gideon Cummins to build a bridge across Laughery creek.

49. An act making specific appropriations.

RESOLUTIONS.

1. A Joint resolution on the subject of persons claimed as fugitives from labor.

2. A joint resolution authorizing the reception of bank notes for debts due the state, and for other purposes.

3. A joint resolution, authorizing H. H. Moore to employ some fit person to erect a pailing around the grave of Edmund Hogan deceased.

4. A joint resolution of the Senate & House of Representatives on the subject of the Treasurer of state.

5. A joint resolution authorizing the transfer of prisoners from the county of Lawrence to the jail of Orange county.

6. A joint resolution requiring the public printer to strike and transmit copies of certain laws to the members of the General Assembly.

7. A joint resolution of the Senate and House of Representatives of the state of Indiana.

L A W S

OF THE

STATE OF INDIANA.

CHAPTER I.

AN ACT, giving the Supreme Court Original Jurisdiction in certain Chancery cases.

APPROVED—January 1, 1819.

SEC. 1. *Be it enacted, by the general Assembly of the State of Indiana, That the Supreme Court shall have original jurisdiction in all cases in Chancery where the President of the Circuit Court is interested or prejudiced, by being or having been a party or counsellor in said case, either at law or equity.*

Original jurisdiction given to the Supreme Court in certain cases.

SEC. 2. That all cases in Chancery now pending and undetermined in the Circuit Courts of this state, in which the president of said courts are interested, or prejudiced, by having been a party or counsellor, are hereby transferred to the Supreme Court, to be by the said Supreme Court determined, in the same manner as if the said cases had been originally commenced under the provisions contained in the first section of this act.

Where the presidents have been interested, suits now pending in the C. C. shall be transferred to the S. Court.

SEC. 3. That it shall be the duty of the

On application the clerk of the C. C. shall deliver over papers & transcript of record to be transmitted to the C. of S. C.

Party applying shall give bond.

Power given to S. Court.

In criminal cases the president of the C. Courts, if interested, shall inform

Clerk of the Circuit Court, in which any case in Chancery is now, or may hereafter, be pending and undetermined, wherein the president thereof is or may have been interested or prejudiced, in either of the ways mentioned in the first section of this act, upon the application of either party, to deliver over the papers on file, in said case, in his said office, together with a complete record of the proceedings in said case, so far as it had proceeded, in such cause. in order that the same may be transmitted to the Clerk of the Supreme Court, to be by him docketed in the same manner as other causes are: *Provided* the party so applying give bond, in such sum as either of the associate judges of said court may deem sufficient, payable to the opposite party, for the safe transmission of the said papers to the Clerk of the Supreme Court, within thirty days after such application, which bond shall be kept by the clerk of the said Circuit Court, where such suit may be pending, for the benefit of the opposite party.

SEC. 4. The Supreme Court shall have full power and authority to issue all writs and other process necessary to carry the powers hereby vested in said court by this act, into effect, according to the laws of this state regulating suits in Chancery in the Circuit Courts, and the usages of Chancery Courts.

SEC. 5. That if any person or persons shall stand charged upon presentment, or indictment, in any criminal cause of a capital nature, in any of the judicial circuits of this state, and the president judge of such

circuit shall be so prejudiced, or interested, that a fair and satisfactory trial of such cause cannot be had, the said judge, under his hand and seal, shall inform the supreme court of the existence of such cause. the S. Court thereof.

SEC. 6. So soon as said supreme court shall receive such information, it shall be the duty of said court to issue their writ, directed to the sheriff, commanding him, in the name of the State of Indiana, forthwith to take possession of said criminal, and him or her safely to keep, subject to the order of said supreme court. Power of the S. Court.

SEC. 7. That the Supreme Court shall have exclusive original jurisdiction of all such causes, and shall have all the powers usually exercised by courts of original criminal jurisdiction, and shall give judgment and order execution accordingly.

This act to take effect and be in force from and after its publication.

CHAPTER II.

AN ACT, to amend an act regulating the jurisdiction and duties of Justices of the Peace, approved January 28th, 1818.

APPROVED—December 31, 1818.

SEC. 1. Be it enacted by the General Assembly of the State of Indiana, That each Justice of the Peace, now in commission in this state, shall, within sixty days after the taking effect of this act, give to the clerk of

Justices of the Peace now in commission shall give bond, to

be approved
of by the C.
of C. C.

the circuit court of his county, respectively, a bond in the sum of one thousand dollars, with good freehold security, to be approved of by the clerk, for the faithful discharge of his duty, and for paying over, on demand, to the proper person authorised or entitled to receive the same, all monies that may come into his hands, which bond shall be made payable to the governor, for the time being, and his successors in office, for the benefit of any person concerned, and may be put in suit from time to time, in any court of competent jurisdiction, and shall not be void on the first recovery. And on judgments obtained on such bond, there shall be no stay of execution. Any justice of the peace neglecting to comply with the foregoing provisions, shall, on conviction of such refusal, by presentment, or indictment, in the circuit court of the proper county, be fined in any sum not exceeding two thousand dollars, at the discretion of the jury who try the cause.

Penalty on
those neglect-
ing or refus-
ing to com-
ply with said
requisition.

Justices here-
after to be
commissioned,
to give bond pre-
vious to exer-
cising the du-
ties of their
office.

SEC. 2. Each Justice of the Peace, who shall hereafter be commissioned in any county in this state, shall, previous to entering upon the duties of his office, give bond and security, as above directed in the foregoing section, and should any person hereafter to be commissioned as a justice of the peace, as aforesaid, proceed to act under his commission until he has complied with the provisions of this act, he shall be deemed guilty of usurpation, and liable to be prosecuted accordingly.

SEC. 3. If any clerk of the Circuit Court, or other person authorised to administer

oaths, shall hereafter swear into office any person commissioned as a justice of the peace, until he has complied with the foregoing provisions, every person so offending shall, on conviction thereof before any court of competent jurisdiction, be adjudged guilty of a misdemeanor in office, and fined by the court who tries the same, in any amount not exceeding fifty dollars.

Penalty on
those who
shall admin-
ister the oath
of office to
justices who
have neglect-
ed the requi-
sitions of this
act.

SEC. 4. If any justice of the peace shall remove out of the township in which he was elected, or shall absent himself therefrom for the space of thirty days, he shall deposit his docket, and other papers belonging to his office, in the hands of the nearest justice of the peace in his township, or if there should be none in his township, with the nearest justice of the peace in his county, taking a receipt therefor; to be kept by such justice with whom it is deposited, until such justice shall return; or if his office is vacated, until a successor be elected and qualified to enter upon the duties of his office; and the justice with whom such docket is deposited, shall, on application of the person depositing the same, or the successor of such person in office, deliver such docket and other papers into the hands of the person so applying therefor, and shall take a receipt for its delivery from the person applying for and receiving the docket.

A justice ab-
senting him-
self 30 days
shall deposit
his docket
with his near-
est brother
justice.

SEC. 5. Any justice with whom any docket of another justice shall be deposited, is hereby authorised to transfer to his own docket any judgment on the docket left with him that may be due before it shall be delivered up, at the request of the person in

Judgments
may be trans-
ferred.

favor of whom such judgment was rendered, and to issue execution thereon, in the same manner as if the suit had been originally instituted before him, and shall note, transferred to the docket of on the docket from whence it is transferred.

Jurisdiction
of justices of
the peace.

SEC. 6. All suits, wherein the sum demanded or due shall not exceed fifty dollars, exclusive of interest and costs, shall be commenced before a justice of the peace, and suits on all notes, due bills, or other instruments of writing given for the payment of money, or other valuable articles that have been reduced by credits endorsed thereon, to an amount not exceeding fifty dollars, exclusive of interest and costs, shall be commenced before a justice of the peace; and should any person, contrary to the foregoing provisions, commence a suit in the circuit court, such person shall pay all costs accruing thereon.

Further duty
of justices
of the peace,
and penalty
for neglect of
duty.

SEC. 7. It shall be the duty of each person who now does, or hereafter may hold, the docket of any justice of the peace, who now has, or hereafter may absent himself from the township in which he was elected, without complying with the provisions of this act, to deliver the same up to some justice of the same township, within twenty days after the taking effect of this act, and should any person holding the docket of any justice of the peace as aforesaid, neglect or refuse to comply with the provisions contained in this section, every such person so failing, or refusing, shall, on conviction, be fined in any sum not exceeding five hundred dollars, and shall moreover be liable to be sued

by any person injured thereby in any court having competent jurisdiction: *Provided* ^{Provided} *always*, that it shall be the duty of the clerk of the circuit court of the proper county, to notify each justice of the peace as aforesaid, to come forward and file his bond as aforesaid, which notice shall be served by the sheriff of such county.

This act to take effect and be in force from and after its publication.

CHAPTER III.

AN ACT, prescribing the mode of changing the Venue.

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana, That all civil suits at common law and in chancery, cognizable in any of the circuit courts of this State, now depending, or which may be hereafter depending, when either of the parties shall conceive that he, she, or they will not receive a fair trial in the circuit where such suit is depending, owing to the president judge having been engaged as counsel in the cause prior to his appointment as judge, and that one or both of the associate judges of the court in which the suit is pending is of kin to either of the parties, in any of the following degrees, to wit: as father, son, brother, uncle, first cousin or brother-in-law, or where one or both of the as-*

Venue may
be changed
where the
president
judge has
been engaged
as counsel,
or where the
associates are
of kin, or interested.

associate judges are interested, and the president judge may be akin to one of the parties in the manner aforesaid, it shall and may be lawful for the party so suspecting he, she or they will not receive justice in the said court then sustaining the said suit, owing to the said causes, or any of them, at any time to petition a president of the circuit where the trial is pending, or the associate judges of the county where the cause is pending, for a change of Venue for the said cause; which petition shall distinctly set forth the cause or causes why such fear is entertained; and it shall and may be lawful for the said judges, on the receipt of said petition, under his hand, to award a change of Venue, and order the clerk of the court before whom the suit is then depending, to send forward the papers in the said suit (by some meet person employed by the said clerk) to such court having jurisdiction in similar cases, as the said judge or judges may direct; and the clerk of the said court shall receive the said papers, giving a receipt therefor, and docket the said suit in order, with other causes; and the court to which such papers are sent shall be, and they are hereby vested, with full power, authority and jurisdiction, to award subpoenas for witnesses, to enforce their attendance, to grant commissions for taking depositions, to hear and determine the said controversy; to award executions, and do all other matters and things relative thereto, which the said court from which the said cause was removed might or could legally have done.

Sec. 3. That the expenses attending the

Clerk of the court shall forward the papers.

Manner of docketing, & final determination of the cause.

removal shall be paid by the person praying the same, and the person who shall be entrusted to convey said papers to the clerk of the circuit court to which they shall be sent, shall and may receive the sum of eight cents for each mile he must necessarily travel in going to and travelling from said clerk's office, which sum shall be paid into the hands of the clerk of the court where the said suits originated, before the papers shall be delivered out of his office.

SEC. 3. That the clerk of the court before whom the said suit originated, shall be answerable for the fidelity of the person whom he may employ, to convey said papers from his office to the office of the clerk of the court to which they shall be sent, but shall not be answerable for accidents not arising from neglect.

SEC. 4. That the venue in no case shall be changed, unless the party who prays the same shall deposit the order of the judge or judges removing the same together with the petition aforesaid, which shall be carefully preserved by the clerk, and also the necessary expences attending the removal, with the clerk having the custody of the said papers at least thirty days before the court at which the said suit shall be set for trial.

SEC. 5. That no change of venue shall be granted so as to have the cause sent to either of the counties where the parties may reside nor shall there be more than one removal of the same cause.

SEC. 6. That no change of venue shall be granted so as to take the cause out of the circuit where the suit is commenced, unless

Allowance to the purveyors of the papers.

Accountability of the clerk.

Order of the Judge to be deposited with the clerk &c.

Notice shall be given to the opposite

party of ap-
plication for
change of
venue.

in case the president of the circuit is interested or prejudiced nor until the party applying for such change shall produce to the Judge to whom such application is made sufficient proof that the opposite party has had ten days previous notice in writing of the time and place such application is intended to be made or in case of absence out of the county or state to his, her or their agent or attorney in fact or attorney at law, which notice shall be certified by the judge granting such change to the clerk, where the suit was commenced.

where
change
of venue is
demanded &
the party ap-
plying fails to
attend he
shall pay \$5
for his clam-
or.

SEC. 7. If any person wishing to obtain a change of venue and shall have given notice to the opposite party as is provided by this act and shall fail to attend on the day and at the place appointed or shall attend and shall not make out sufficient cause as is contemplated in the first section of this act, he shall pay to the opposite party, five dollars for his false clamor to be taxed by the clerk and collected as other costs usually are in courts of Justice, and in order the better to carry this section into effect the Judge or Judges before whom, the application is made for a change of venue shall file the petition and other papers in the clerk's office, with his decision thereon.

Petition to be
filed.

This act shall commence and be in force from and after its publication.

CHAPTER IV.

*AN ACT, providing for the summoning
Juries in certain cases.*

APPROVED—December 31st, 1818.

Whereas it is represented to the General assembly of the state of Indiana, That there are now and for a long time have been persons confined in the jails of the counties of Posey, Warrick, and Vanderburgh, on charges of felony, two of them of a capital nature, which could not be disposed of heretofore, by reason that, the Boards of county commissioners did not provide for the summoning Juries at the time and after the manner, contemplated by the law of the last session of this legislature, providing for the manner and time of selecting Juries in this state, and whereas the fourth judicial circuit of this state, will progress in business before the several Boards of county commissioners in said circuit can sit by law, which will render it legally impossible to dispose of said cases, before the summer term to the great injury and hardship of the persons accused.—Therefore for remedy whereof,

Preamble

BE it enacted by the General Assembly of the state of Indiana, That it shall be the duty of the sheriffs of Posey, Warrick, & Vanderburgh respectively at least ten days next before their respective circuit courts to summon & return to their respective circuit courts

Duty of sher-
iff's of Posey
&c.

thirty six good & honest men of their respective counties who shall when so summoned be taken by the respective courts as legal and fit Jurors to try any case of a criminal or penal nature, which may now be pending in either of the said courts.

Challenge
being made
deficiency
may be made
up and how.

SEC. 2. Should the Jurors so returned be objected to and successfully challenged agreeable to the laws regulating challenge so that a sufficient number cannot be had to try the said cases in the respective courts then it shall be lawful for the said courts respectively to direct the sheriff to fill the panel from the by-standers, and should the sheriff of all or either of those counties fail to summon the Jurors, as contemplated by this act, it shall be lawful for the court to direct the sheriff to summon the Jury that may be necessary to the disposition of said cases.

Objection to
the G. Jury
because they
are not legal-
ly empanel-
led shall not
be made.

SEC. 3. That it shall not be lawful for the circuit courts of this state to allow any objection to defeat any presentment or bill of indictment found in the year eighteen hundred and eighteen on the ground that the Grand Jury finding them were not selected and summoned according to the provisions of a law of the last session of the general assembly, providing for the selecting and summoning Grand and Petit Jurors: and if it shall be found necessary to find any bill of indictment in any of the said courts, the Grand Jury returned and sworn shall be competent to do the same.

This act to be in force from and after its passage.

CHAPTER V.

AN ACT, supplementary to an act entitled, "An act to prevent waste on lands reserved for the use of schools and salt springs approved January 29th, 1818."

APPROVED—January 2, 1819.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the superintendent that now is, or hereafter may be appointed to superintend the school section of the ninth Congressional township, first range in the township of Springfield and county of Franklin, be and he is hereby authorized to lease the same by quarter sections, or otherwise for any term of years not exceeding ten as he may think best calculated to effect the objects for which the said section was reserved, and given to the state.

Superintendant of the 9th Congressional section may lease the same.

SEC. 2. Whenever hereafter the treasurer and board of trustees of any reserved section of land which has become incorporated agreeable to the fifth section of the act to which this is an amendment shall have on hands any money the proceeds for rent of said reserved section it shall and may be lawful for the said treasurer and Board of trustees to lay out and expend such a part thereof as may seem to them proper and expedient in erecting and repairing a dwelling house or houses on said reserved section if necessary and to make such other improvements as aforesaid are necessary or after

Treasurer & board of trustees may make certain appropriations and in what manner

the same are made there shall remain an overplus then it may be lawful for them to apply the same to the encouragement of a school or schools in their said congressional township in the following manner, to wit, on the first Mondays of May and November in each and every year any amount not exceeding one half of what is remaining on hand at the time the distribution is made which shall be equally apportioned to all the schools in said Congressional township according to their respective number of schools.

Teachers of Congressional townships shall make returns to the board of trustees.

Sec. 3. It shall be the duty of the different school teachers in every Congressional township which has become incorporated on the said first Mondays in May and November in each and every year to make out a certificate and swear or affirm to the same before some person authorized to administer oaths and affirmations of the number of scholars which have come to his said school since the previous return day, and hand the same to the treasurer and board of trustees aforesaid, which certificate or certificates shall govern the said treasurer and board of trustees in making the apportionment aforesaid.

Government for new schools.

Sec. 4. If at any time between the times hereby appointed, to make the apportionments aforesaid a new school or schools shall commence in the Congressional township to which the reserve belongs the same shall be taken into consideration at the next ensuing day of apportionment on the same footing with the other schools agreeable to the number of its scholars.

Sec. 5. No allowance shall be made for any scholar who is learning any other than the English language or who does not reside in the proper Congressional township.

No allowance but to English scholars.

Sec. 6 The said treasurer and Board of trustees shall keep a just true and accurate record of all their proceedings relative to the receipts and expenditures of the rent of their said reserved sections of land and shall deliver up the same to their successors in office under the penalty of one thousand dollars each recoverable upon a conviction of a refusal so to do by presentment or indictment before any court of competent jurisdiction the same to be applied to the benefit of the schools in said township as other monies are.

Treasurer & trustees shall keep and deliver over to their successors, a record of their proceedings.

Sec. 7, The said treasurer and Board of trustees shall annually make a true and correct report of their proceedings both of receipts and expenditures of the rent of their said reserved sections, to the associate judges while sitting as an orphans court for the proper county which report shall by order of said court be entered at length upon the record thereof and at the same time the said court shall allow the treasurer and Board of trustees such sum for their trouble as they shall deem just.

Treasurer and trustees shall also report to the Orphans court.

This act to take effect and be in force from and after its publication.

Allowance to same.

CHAPTER VI.

AN ACT, to amend the act, entitled, An act to divide the state into four circuits, and to fix the time of holding courts.

APPROVED—January 2. 1819.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the terms of the several circuit courts in the third circuit of the state of Indiana, in each and every year hereafter, shall be held at the respective places of holding circuit courts in the several counties composing the said third circuit at the times hereafter specified. In the county of Fayette, on the first Monday in February, May, and September, and shall sit three days at each term if the business requires it; in the county of Randolph on the Friday after the commencement of the court in Fayette, and shall sit two days at each term, if the business requires it. In the county of Wayne, on the second Mondays in February, May, and September, and shall sit six days if the business requires it at each term. In the county of Franklin on the third Mondays in February, May, and September, and shall sit twelve days if the business requires at each term. In the county of Dearborn on the first Monday in March, the fifth Monday in May, and the first Monday in October, and shall sit twelve days if the business requires it. In the county of Switzerland, on the second Monday in March, the first Monday in June, and the*

Terms of the C. Court in the third Circuit; when, where and how long holden.

second Monday in October, and shall sit six days if the business requires it. In the county of Jennings on the third Monday in March, the second Monday in June, and the third Monday in October, and shall sit three days if the business requires it at each term.

In the county of Ripley, on the Thursdays after the commencement of the court in Jennings county, and shall sit three days, in each term if the business requires it. The county of Fayette is hereby attached to, and shall form a part of the third Judicial circuit.

SEC. 2. The Circuit Courts to be holden in the first Circuit shall be held on the days and times following, to wit: In the county of Knox on the first Mondays in February, May and September, and shall sit twelve days, if the business requires it, at each term. In the town of Merom, in the county of Sullivan, on the third Mondays in February, May and September, and shall sit six days at each term, if the business require it. In the county of Vigo on the fourth Mondays in February, May and September, and shall sit six days, if the business requires it, at each term. In the county of Owen on the first Monday in March, the fifth Monday in May, and the first Monday in October, and shall sit two days, if the business requires it, at each term. In the county of Monroe on the Thursday after the commencement of the court in Owen county, and shall sit three days at each term, if the business requires it. In the county of Lawrence on the second Monday in March, the first Monday in June,

Terms of the C. Court for the 1st Judicial Circuit.

and the second Monday in October, & shall sit two days, at each term if the business requires it. In the county of Dubois on the Friday after the commencement of the court in Lawrence, and shall sit two days at each term if the business requires it. In the county of Davies, the third Monday in March, the second Monday in June and the third Monday in October, and shall sit six days if the business requires it. The county of Owen is hereby attached to, and shall form a part of the first judicial circuit.

Terms of the
C. Courts for
the fourth ju-
dicial circuit.

SEC. 3. The Circuit Court shall be holden in and for the fourth Judicial Circuit, on the days and times following to wit: In the town of Franklin, Perry County, on the fourth Monday in February, May and September, and shall sit three days if the business requires it, at each term. In the county of Spencer at the dwelling house of Asel W. Dossey, on the Thursday after the court commences in Perry county, and shall sit three days at each term, if the business requires it. In the county of Warrick, at the court house in Boonville, on the first Monday in March, the fifth Monday in May, and the first Monday in October, and shall sit three days at each term if the business requires it. In the county of Vanderburgh, at the town of Evansville, at the house of Hugh McGary, on the Thursdays after the court commences in the county of Warrick, and shall sit three days if the business requires it, at each term. In the county of Posey, at the court house in Springfield, on the second Monday in March, the first Monday in June, and the second Monday in Oc-

tober, and shall, if the business requires it, sit at each term six days. In the county of Gibson at the court house in Princetown, on the third Monday in March, the second Monday in June, and the third Monday in October, and shall sit six days if the business requires it at each term. In the county of Pike at the court house in Petersburg on the fourth Monday in March, the third Monday in June, and the fourth Monday in October, and shall sit six days at each term if the business requires it.

SEC. 4. The Circuit Courts in the county of Crawford shall sit on the last Mondays in February, May and September, and sit six days each term, and in the county of Floyd on the Monday next succeeding the days on which the circuit courts are held in the county of Harrison, and sit six days each term if the business require it.

Terms of the
C. Court in
the counties
of Crawford
and Floyd.

And be it further enacted, that so much of an act entitled "An Act to divide the State into four circuits," approved Jan. the twenty eighth, eighteen hundred and eighteen, as respects the time of holding the circuit courts, in the first, third and fourth circuits, be, and is hereby repealed.

Repeal as to
the terms of
1st, 3d & 4th
circuits.

SEC. 5. The Supreme Court shall hereafter, sit on the first Mondays of July and November, and all writs, subpoenas or other process which may have issued from any of the said circuit courts, or the Supreme Court, since the last sitting thereof, or which may hereafter issue, previous to the publication of this act, shall be deemed, taken, and are hereby made returnable to the first terms of the said several courts, to be hol-

Sitting of
the Supreme
Court.

Return of
process & or-
der of suits.

den by virtue of this act, and all suits, complaints and actions, or other proceedings, either civil or criminal, which are now pending, or may hereafter be pending, prior to the publication of this act, shall be taken up at the first term thereof, to be holden under this act, and the same proceedings to be had thereon, and in the same manner, as if no alteration had been made in the time of holding said courts.

This act to take effect and be in force from and after its passage.

CHAPTER VII.

AN ACT to amend an act entitled an act to prevent man stealing.

APPROVED—January 2, 1819.

Additional
punishment
inflicted on
those convicted of man
stealing.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That in addition to the punishment prescribed in the second section of the act to which this is an amendment, for manstealing, every person or persons convicted of said crime, as defined in the first section of the aforesaid act, shall receive, on his or their bare back any number of stripes not less than ten nor more than one hundred, at the discretion of the jury by whom such person or persons are convicted.

Repealing
clause.

SEC. 2. So much of the third section of the aforesaid act as requires the parties to be recognized to the circuit court is hereby re-

pealed, and it shall be the duty of the judge or justice of the peace before whom the person or persons arrested on a charge of owing service shall be brought, after hearing the testimony adduced both by plaintiff and defendant, if he shall be of opinion that the plaintiff's claim is well found, to issue his warrant to the sheriff of the county, directing him forthwith to notify the associate judges of the proper county, or any circuit judge of any circuit in this State, whose duty it shall be when so notified, to attend at the court house of the county in which the person or persons claimed as aforesaid shall have been arrested, on the day named in the warrant of the judge or justice of the peace, as the case shall be, which day shall not be more than three days after the arrest, and it shall also be the duty of the sheriff aforesaid, to summon a good and lawful jury of the country, who shall attend at the place and time appointed for trial, and for failure so to do shall be subject to like penalties as jurymen are in other cases.

Duty of the
judge or justice.

Duty of the
Sheriff.

SEC. 3. The judge or judges, as the case may be, notified and attending, as directed in this act, are hereby authorised and required to proceed to hear and determine by jury, the cause or causes so brought before them, which trial shall be conducted and governed, in every respect by the same regulations and rules that are prescribed by law in term time, and the verdict and judgment shall have the same effect and virtue as if obtained in the circuit court.

Further duty
of the judge
or judges.

This act to be in force from and after its publication.

CHAPTER VIII.

AN ACT to amend the act entitled "An Act for assessing and collecting revenue."

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That so much of the twelfth section of the act to which this is an amendment as authorises any person who shall think himself, herself, or themselves aggrieved, by improper listing and over rating their property, to make application to the board of county commissioners, at their august term, to have the same redressed, is hereby repealed; and hereafter any person who shall think himself, herself or themselves aggrieved, by improper listing or overrating his, her or their property, may make application to the board of county commissioners at their November term; and so much of the fourteenth section of the act to which this is an amendment as makes it the duty of the sheriff, as collector, to demand of each person or persons owning taxable property the amount of their tax on or before the first day of September annually, be, and the same is hereby repealed.

SEC. 2. That so much of the 20th section of the act to which this is an amendment as authorises and requires the prosecuting attorneys in the different counties to commence suit, in the name of the auditor of State, against delinquent sheriffs, their securities or legal representatives, be, and the same is hereby repealed; and hereafter, each and

Repeal of the 12th section of the act to which this is an amendment.

Persons aggrieved may apply to the county commissioners, & when.

Repeal of the 14th section.

20th section repealed.

every suit or suits against delinquent sheriff or sheriffs shall be commenced and prosecuted in the name of the Governor of State of Indiana.

SEC. 3. It shall be lawful hereafter for the county commissioners in any county, if they judge it for the interest or convenience of their county, to appoint one lister for each township therein, who shall be subject to the same rules and regulations in every respect that county listers are subject to by the act to which this is an amendment.

SEC. 4. *Be it further enacted,* That if the sheriff of any county should die, or his office should be vacated, or he be unable to give the necessary security required by law, or refuse to receive the duplicate, the county commissioners are hereby authorised to meet and appoint a collector for such county, for that year, which collector shall be subject to all the rules and regulations that sheriffs are subject to as collectors.

This act to take effect and be in force from and after its passage.

County commissioner may appoint a lister for each township.

Further power and duty of the commissioner.

CHAPTER IX.

AN ACT, to amend the act respecting Public Seminaries, and for other purposes.

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That it shall be the duty of the Trustees of the public

Trustees
may loan mo-
ney.

Rate thereof.

seminaries in the several counties in this State, if an opportunity can be had, to loan all monies paid to them, as such, for the term of one year, at the rate of six per centum per annum, taking bond and good security therefor, payable to themselves and their successors in office.

May com-
mence suit
on bond.

SEC. 2. And should the obligors in such bond fail or neglect to pay the same at the time therein specified, the trustees aforesaid, or their successors in office, are hereby empowered to commence suit and prosecute for the same in any court having competent jurisdiction, unto final judgment, on which there shall be no stay of execution.

CHAPTER X.

AN ACT for the benefit of Debtors.

APPROVED—December 28, 1818.

Further stay
of execution
when certain
bank paper is
refused.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That from and after the taking effect of this act, if any person or persons shall refuse to receive in payment of debts to be collected on execution, by any sheriff or constable in this State, the paper of any of the chartered banks of this State, and their branches, or the paper of any chartered bank which is current with the merchants or mercantile transactions in the neighborhood at the time, there shall be a further stay of execution for

the term of one year, from the time of judgment rendered, except in cases where special contracts have been made for the payment of certain bank bills or specie.

SEC. 2. In all cases where the justice before whom any suit is commenced, or judgment obtained, shall not be instructed by the person in favor of whom judgment is obtained, or by his agent or attorney for him, or in case judgment is obtained in the circuit court, the clerk thereof shall not be instructed, as before stated, to receive in payment bank notes, according to the foregoing provisions, then it shall be considered there shall be stay of execution as is by this act provided; *Provided, however,* such security as is in other cases required by law for stay of execution, shall be required before any person shall be entitled to the benefit of this act.

When no in-
struction is
given either
to the justice
or clerk,
there shall be
stay of execu-
tion, upon
giving suffi-
cient securi-
ty.

This act shall take effect and be in force from and after twenty days after its publication in the Indiana Gazette.

CHAPTER XI.

AN ACT, supplemental to an act for opening and repairing Public roads and highways.

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That from and after the publication of this act, each able bodied male person between the ages of

Who shall be
liable to
work
on the roads.

eighteen and fifty years, shall be bound to work on the highways in the district in which he resides, under the direction of the supervisor thereof according to law, two days in each year and no more except as is hereafter provided.

County commissioners shall establish the amount of road-tax.

SEC. 2. The county commissioners of each county, shall annually, when they assess the state and county tax on land, add in a different column, as a road tax, an amount, which shall not exceed that which is assessed for state and county purposes, to be applied for the use of roads.

Supervisor shall furnish the clerk with the names of freeholders.

SEC. 3. Each supervisor shall annually furnish the clerk of the commissioners of his county a list of each persons name residing in his district, who is the owner of any tract of land in his county, on or before the first Monday in May.

The clerk shall furnish the supervisors with a list of tax assessed on each person.

SEC. 4. It shall be the duty of the clerk of the commissioners to furnish the supervisors of the highway in each district in his county, with a list of the tax assessed on each person in his district for the use of public roads on or before the first Monday of June annually, which tax the supervisor is hereby authorized to receive in work done on the highway under his direction, at the rate of seventy-five cents per day, at such time as he may direct, by giving three days previous notice, but should such person having been duly notified, neglect or refuse to work, or cause the same to be done at the time appointed, then the supervisor is hereby authorized to collect the same by action of debt, before any Justice of the peace in his township with costs of suit, and to ap-

ply the money so collected, in improving the roads in his district in such way as he shall think most advisable.

Power and duty of supervisors.

SEC. 5. That each supervisor shall deliver over to his successor in office any money that he may have in his hands, which he may have collected as fines, or for neglect in any person to work out his tax; under the penalty of double the amount of such money in his hands; and the board of county commissioners shall, as often as they think it necessary, appoint some person to settle with each supervisor of the highway in their county, and any supervisor refusing to settle with such person, they may compel such settlement by the usual process of law.

Penalty on supervisor failing to pay over money to his successor.

SEC. 6. When the person or persons who stand charged with any road tax, are not residents of the county where such tax is assessed, such tax shall be collected and paid in the same manner other county taxes are collected, for the use of roads, to be laid out under the direction of the Board of county commissioners, or such person as they may appoint to superintend the same.

Mode to be observed towards non residents.

SEC. 7. *Be it further enacted.* That when in the opinion of the Board of county commissioners it would be impracticable to open the road in their county under the provisions of this act, they are hereby authorized at any of their meetings for the purposes of assessing state and county taxes, to order the roads in their county worked according to the provisions of the laws of this state, now in force upon that subject; and this law shall not be in force in said county, until ordered so to be by said commissioners.

When it shall be deemed impracticable to open roads under this act, the commissioners may proceed under the provisions of the act to which this is a supplement.

at some succeeding meeting for the purpose of assessing state and county taxes.

SEC. 8. Each supervisor of the highway shall have the direction of all the hands in his district, and shall be bound to deliver over to his successor a list of all the hands in his district, and before entering upon the duties of his office shall take an oath before some person authorized to administer the same, faithfully and impartially to discharge the duties of his office according to law, and to the best of his abilities and judgment; a certificate of having taken such oaths shall be endorsed on the back of his certificate of appointment by the person administering the same.

SEC. 9. That if any person shall obstruct any road laid out, or to be kept in repair under the authority of law, and shall suffer such obstruction to remain to the hindrance of passengers, such person so offending, shall forfeit and pay for every such offence, the sum of ten dollars, to be recovered with costs of suit, in the name of the supervisor in whose district such road may be obstructed, and it shall be the duty of each supervisor respectively, as often as they are informed of such obstructions to commence suit against the person obstructing the same before any Justice of the peace of the county where the offence shall happen, and upon the oath of one or more credible witness or witnesses, judgment shall be rendered and collected as other debts are of a similar amount, and if any person fined as aforesaid shall suffer such obstructions to remain to the hindrance of passengers, as aforesaid,

Powers and duty of the supervisor, who shall take an oath, which shall be endorsed on his certificate.

Penalty on those who shall obstruct any road.

Further duty of supervisor.

such person shall forfeit the sum of one dollar for each day he may suffer such obstructions to remain; to be recovered before any Justice of the peace in manner and form aforesaid.

Penalty for a continuance of such obstruction.

SEC. 10. That an appeal from the proceedings of the county commissioners shall lie, and be allowed to the circuit courts; provided that such appeal be entered with the clerk of the commissioners, within fifteen days after the proceedings were had before said commissioners by the appellant or appellants giving bond with sufficient security for the costs and charges of such appeal; and the circuit courts are hereby empowered on every such appeal to order and appoint another view of such road and proceed therein in like manner as the commissioners are enabled, (by the act to which this is an amendment,) so to do, provided further, that no order for opening any road shall be issued until the time allowed by this section for an appeal shall have expired; and if no appeal is entered as aforesaid, within the time aforesaid; then the clerk of the Board of county commissioners of the proper county, shall issue the order required by law.

Appeal may be taken from the proceedings of the commissioners to the circuit.

who may order another review.

SEC. 11. That if any supervisor appointed in pursuance of the provisions of the act to which this is an amendment shall fail or neglect to discharge the several duties required of him by law to perform, as supervisor of the highway, he shall forfeit and pay the sum of twenty dollars, to be recovered by presentment or indictment before any court having competent jurisdiction;

Penalty on supervisors failing in, or neglecting their duty.

and it shall be the duty of the grand Juries of their counties respectively, to present all delinquent supervisors that may come to their knowledge.

What roads shall be deemed public highways.

SEC. 12. That all roads that have been in use and worked by the public for the term of three years prior to the first day of May eighteen hundred and nineteen, shall be taken and deemed public highways and the county commissioners of the proper county shall cause the same to be recorded as such.

Supervisor may excuse persons from work.

SEC. 13. The supervisors of roads may excuse any person from working on roads, who may be unable to perform a reasonable days work, any thing in the act to which this is an amendment notwithstanding, that so much of the act to which this is amendment as comes within the perview of this act shall be and the same is hereby repealed.

CHAPTER XII.

APPROVED—December 24, 1818.

AN ACT, authorizing county commissioners to build Public bridges and for other purposes.

SEC. 1. Be it enacted by the General Assembly of the state of Indiana, That whenever hereafter in the opinion of the Board of county commissioners in any county within this state the public convenience requires a bridge or bridges should be built over any

water course within their respective county, where any public road shall cross the same they shall appoint three disinterested persons resident in the township in which such bridge or bridges are to be built, whose duty shall be to advertise throughout the county the time and place where they shall attend for the purpose of contracting with some fit person or persons for the building of such bridge or bridges after such plan or manner as they shall direct upon the most advantageous terms which can be had and which shall be the most permanent and beneficial, which contract shall be in writing signed by the parties contracting and filed in the clerk's office of the proper county to be by him preserved, and the several boards of county commissioners shall allow to the superintendants a reasonable compensation for their services herein.

SEC. 2. The superintendants appointed by the Board of county commissioners, under the provisions, of this act, shall, before they enter upon the duties of their said office, take and subscribe before some Justice of the peace of the proper county an oath faithfully and impartially to discharge the duties of their office and the Justice administering the same shall within ten days thereafter transmit a certified copy thereof to the clerk of the proper county to be by him filed in his office.

SEC. 3. In all cases bond and security shall be required from the undertaker which security shall be approved of by the Board of county commissioners.

SEC. 4. It shall be lawful for the Board

Authority given to the board of county commissioners to appoint three disinterested persons to contract for the building of bridges, whenever the public convenience requires it.

Allowance to the superintendants.

The superintendants shall take an oath for the faithful discharge of their duties, which shall be filed in the clerk's office.

The undertakers shall give bond.

Commissioners may receive subscriptions, &c

of county commissioners to receive from individuals subscriptions and other donations which they may think proper to contribute towards the building of any bridge or bridges and which shall be applied accordingly.

Power given to the commissioners of Gibson county.

SEC. 5. That the county commissioners for the county of Gibson be and they are hereby empowered to make to George Stipes such other and further allowance, over and above the sum already raised by individual subscriptions which shall be sufficient in their opinion to remunerate him for the building of a public bridge over the river Patoca in the said county of Gibson and that the same be paid out of their county treasury.

further power given to the county commissioners, where donations nor taxation will enable them to cause bridges to be built.

SEC. 6. *Be it further enacted*, That if in the opinion of the Board of county commissioners it would be for the benefit of the citizens of their county, to have a bridge built over any creek or water course, where money cannot be had by donations to build such bridge, nor by taxation without oppressing the people of the county, they are hereby authorized to empower any individual or individuals who are willing to undertake to build the same under the same rules and regulations that ferries are established, *Provided* the person or persons building such bridge, shall always be bound to transfer the same to the county at ten per cent on cost, when the commissioners are willing to purchase it.

CHAPTER XIII.

AN ACT, authorising a State Medical Society in the State of Indiana.

APPROVED—January 1. 1819.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That there shall be a State Medical Society in this State, to be denominated the State Medical Society of Indiana.

Medical Society established.

SEC. 2. That the State Medical Society shall be composed of delegates elected by the district societies, who are hereby authorized to hold such elections; and the delegates so elected, or a majority of them, when met, shall constitute a quorum for the transaction of business.

Delegates when elected shall constitute a quorum.

SEC. 3. Each district society shall elect not more than four, nor less than two delegates from their respective societies.

Number of Delegates.

SEC. 4. The delegates elected as aforesaid, shall meet on the tenth day of April next, in the town of Corydon, and shall proceed to elect their own president, and other officers, to form a constitution and bye laws, not inconsistent with the laws and constitution of this state nor of the United States.

When and where to meet.

SEC. 5. The State Medical Society, when organized as aforesaid, shall have power to settle finally all differences between the district medical societies, and also between individuals and the respective societies, in cases of appeal; and to assign to

Powers of the State Medical Society.

each district society their geographical limits.

Penalty on those who shall practice without license.

SEC. 6. Every person who may hereafter practice medicine in this state, except such as are now resident practitioners of physic and surgery, without having first obtained a license from the State Medical Society, or from one of the district societies, or in the interval, a permit from one of the censors, every person so offending shall forfeit and pay a sum not less than ten dollars, nor more than twenty, for the first offence, and for every succeeding offence double the sums as aforesaid, to be collected by presentment or indictment, before any court having jurisdiction of the case, and the money so collected shall be a fund in the State Medical Society for the promotion of Medical science in this State.

CHAPTER XIV.

AN ACT to amend the act entitled "An Act regulating Grist Mills and Millers, approved January the twenty ninth, one thousand eight hundred and eighteen."

APPROVED—December 24, 1818.

Owners of Horse Mills liable to the same penalties and regulations as the owners of Grist Mills.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana, That all and every person or persons being the owner or occupier of any Horse Mill, of whatever nature or description it may be, shall hereafter be subject to the same rules, regu-*

lations and penalties, when they grind for toll, or any other consideration whatsoever, that owners or occupiers of Grist Mills are, in the act to which this is an amendment.

SEC. 2. Where the owner or owners of any Horse Mill shall grind with his, her or their own team, he, she or they shall, for the use of his, her or their team be entitled to one eighth part of the grain so ground into good meal or flour, or twelve and one half cents in lieu thereof, at the discretion of the owner of the grain.

Toll allowed.

CHAPTER XV.

AN ACT regulating the inspection of Flour, Beef & Pork.

APPROVED—January 2, 1819.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the commissioners of the several counties of this State shall annually appoint a suitable person, as inspector, in each county, of flour, beef and pork; and that from and after the passage of this act, no owner or owners, or agents, of flour, beef and pork, put up in barrels, as hereinafter mentioned, shall export or offer the same for sale, for exportation, until it shall have been inspected in the manner hereinafter directed, under the penalty of treble the amount of the cost of such inspection, for every such offence, to be recovered in any court having cognizance*

Commissioners shall appoint an inspector of flour, beef & Pork.

Penalty for exporting the same without inspection.

thereof, one half for the use of the person prosecuting for the same, and the other half for the use of a county seminary.

SEC. 2 The inspector who shall be appointed under this act, shall hold his office one year, and until a successor be appointed and qualified; and in case of vacancy, the commissioners aforesaid shall have power to fill the same; and the said inspector, before he enters upon the duties of his office, shall take the following oath, or affirmation, before some justice of the peace, a certificate of which shall be endorsed on the back of his certificate of appointment.—“I, A. B, do swear, or affirm, (as the case may be) that I will faithfully and impartially, according to the best of my skill and judgment, perform the duty of Inspector of flour, beef and pork, according to the laws in force relative thereto.”

SEC. 3. The owner or owners, or agents, of flour, beef, and pork, intended for sale in any county in this State, are hereby required to give notice to the said inspectors, that the same be inspected, and for every such inspection, he shall be entitled to receive four cents for every barrel of flour, and ten cents for each barrel of beef and pork; and the said inspector shall not be entitled to receive any more than at the rates aforesaid, under the penalty of fifty dollars for every such offence, to be recovered in any court having cognizance thereof, one half to the use of the person prosecuting for the same, and the other half for the use of a county seminary. *Provided*, nevertheless, that nothing herein contained shall be so

Inspector shall be appointed for one year.

Who shall take an oath.

Form thereof

Allowance to inspectors for their services

Penalty for exacting more than is allowed.

Proviso.

construed as to prevent the sale of any flour manufactured in the state which may be purchased for family use, and any flour, beef, and pork, put up in barrels, as herein-after mentioned, provided they have been inspected in any state or territory from whence they came.

SEC. 4. Each barrel of flour shall contain one hundred and ninety six pounds of flour, avoirdupoise weight, and if intended for the first quality, shall be branded by the inspector “Super Fine,” and on each barrel intended for the second quality, shall be branded “Fine,” and on each barrel intended for the third quality shall be branded “Midlings;” and in addition to the brand aforesaid, each barrel shall be branded “Indiana;” and for the inspection of flour, the said inspector shall provide himself with a three quarters of an inch barrel auger, with which each barrel of flour shall be bored into, so as to satisfy himself of the quality of the flour. And if any flour shall be found to contain a mixture of Indian corn meal, or any other mixture, such person offering the same, shall forfeit and pay the sum of four dollars for every such barrel so mixed, and the flour shall be liable for the payment thereof.

SEC. 5. Each barrel of beef, and pork, inspected by the inspector aforesaid, shall contain two hundred pounds, avoirdupoise weight, and the best quality of beef shall be denominated “Mess Beef,” and shall be branded “Mess Beef;” the second quality shall be denominated “Prime Beef,” and shall be branded “Prime Beef;” and the

Contents of each barrel of flour to be branded according to its quality.

Penalty on those who shall offer mixed flour.

Beef & Pork —contents of each barrel.

Quality and
denomination

best quality of pork shall be denominated "Mess Pork," and shall be branded "Mess Pork;" and the second quality shall be denominated "Prime Pork," and shall be branded "Prime Pork;" and the third quality shall be denominated "Cargo Pork," and shall be branded "Indiana Cargo Pork." And where any such beef or pork shall be found to be tainted, spoiled, or unfit for market, the same shall be condemned.

Penalty on
those who
shall alter or
erase any
brand.

SEC. 6. If any person or persons shall alter, or erase, any brand or mark of said inspector, so placed on any barrel of flour, pork or beef, every person so offending, on conviction thereof, shall forfeit and pay the sum of fifty dollars for every such offence, to be recovered in any court having cognizance thereof, one half to the use of the person prosecuting for the same, and the other half to the use of a county seminary.

CHAPTER XVI.

AN ACT more effectually to prevent Duelling.

APPROVED—December 28, 1818.

Who are re-
quired to
take the du-
elling oath.

SEC. 1. Be it enacted by the General Assembly of the State of Indiana, that from and after the taking effect of this act, each person authorised to administer the oath of office to any person about to enter upon the duties of his office, in the executive, judiciary, or legislative department of State, or

to any military office in the State, as well as to any person who shall hereafter apply to be admitted as an attorney and counsellor at law, in any court of record in this State, shall observe and administer such oath or affirmation, according to the following form, viz:—You do solemnly swear or affirm, as the case may be) that you will support the constitution of the United States; and of the State of Indiana, and that you will, to the best of your abilities and judgment, discharge the duties of your office (as the case may be) faithfully; and that you have not since the first day of January, eighteen hundred and nineteen, either directly or indirectly, knowingly given, accepted, or carried a challenge to any person in or out of this State, to fight in single combat, with any deadly weapon, and that you will not knowingly give, accept, or carry a challenge to any person or persons, to fight with any deadly weapon in single combat, either in or out of this State, during your continuance in office." And should any person about to be sworn into office, refuse to take such oath, his office shall be vacated and filled according to law.

Form thereof

Refusal to
take the same
produces a
vacation in
office.

SEC. 2. The Governor and Lieutenant-Governor, and each person in the Legislative department, shall take the oath of office in the presence of one or both Houses of the General Assembly; and each person applying for admission to practice as an attorney and counsellor at law, shall take the oath in the presence of the court, where application is made for admission; and each person holding a commission shall have a certificate of

When and
where said
oath shall be
taken by cer-
tain.

Penalty on those neglecting to take this oath.

having taken such oath endorsed on the back of his commission, by the person administering the same, before he shall be authorised to act thereon; and should any person hereafter commissioned presume to act by authority of such commission, without having such certificate on the back of his commission, he shall be liable to be prosecuted for usurpation.

Penalty on those who shall administer such oath differently from the true intent and meaning of this act.

SEC. 3. If any person shall administer the oath of office after the taking effect of this act, any other way than according to the true intent and meaning thereof, each person so offending shall, on conviction thereof, forfeit and pay the sum of five hundred dollars, together with costs of suit, to be recovered on presentment or indictment, in any court competent to try the same; and all provisions of any law authorising the oath of office to be administered in any other way, are hereby repealed.

Penalty for taking false oath.

SEC. 4. If any person, under the provisions of this act, shall take a false oath, he shall, on conviction thereof, be liable to all the pains and penalties of perjury.

Penalty on those who shall give, accept, or carry a challenge.

SEC. 5. If any person or persons shall, within this State, give or accept a challenge to fight a duel, or shall agree to go out of this State for the purpose of fighting a duel, or shall knowingly carry to any other person a challenge for a duel, every person so offending, shall, on conviction thereof, by presentment or indictment, be fined in any sum not exceeding two thousand dollars, with costs of suit, and imprisoned any term of time not exceeding six months, at the dis-

cretion of the court, and stand committed until sentence be complied with.

SEC. 6. If any person shall actually fight a duel within the jurisdiction of this State, every person so offending shall, on conviction thereof, by presentment or indictment, be fined in any sum not exceeding five thousand dollars, with costs of suit, and be imprisoned any time not exceeding one year, at the discretion of the court, and stand committed until sentence be complied with; or should he kill the person with whom he is engaged, he shall be deemed guilty of murder, and punished accordingly.

Penalty on those who shall fight a duel.

SEC. 7. It shall be the duty of every person having knowledge of any other persons fighting a duel, or giving, carrying or accepting a challenge to fight a duel, to go before some judge or justice of the peace, and give information thereof on oath, and every person so failing, shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars.

Penalty on those who shall knowingly fail to give information of such duel, or preparatory steps thereto.

SEC. 8. All fines assessed under this act, shall, when collected, be paid into the county treasury where the same are assessed, for the use of seminaries of learning.

Appropriation of the fines collected under this act.

The act more effectually to prevent duelling, approved January the second, eighteen hundred and eighteen, is hereby repealed.

Repeal.

This act to take effect from and after the first day of January next.

CHAPTER XVII.

AN ACT, to authorize Clerk's of the Circuit court and their Deputies to administer oaths, and Sheriffs to transact business by their Deputies.

APPROVED—December 22, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, that in all cases where it may be necessary for the clerk of the circuit court of any county in this state to examine any person on oath, such clerk is hereby authorized to administer the same.*

Deputy may administer oath in certain cases. SEC. 2. In all cases where the clerk of any circuit court is absent, his deputy shall possess the same powers to transact any duty relative to his office, which the clerk could do if present; each clerk being responsible for the official acts of his deputy.

Sheriff's may appoint deputies. SEC. 3. Sheriffs are hereby authorized to transact any part of their official duties by a deputy or deputies, each sheriff being accountable for the acts of his deputy.

CHAPTER XVIII.

AN ACT, to exempt certain property from being subject to execution.

APPROVED—December 24, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the following property shall not hereafter be subject to be taken or sold on execution, viz: in each family one spinning wheel and reel, one Bible, one bed and the necessary bedding for one bed, six chairs, one dinner pot, one bake oven, one frying pan, one kitchen table with the necessary articles of table and cupboard furniture, to an amount not exceeding ten dollars, one cow and calf, one sow and pigs, six sheep with the wool growing thereon, or the yarn and cloth made thereof, any amount of flax being the growth or produce of half an acre of ground, in one year, or the yarn or cloth made thereof, and bread stuff meat and salt sufficient to supply the family three months—also their wearing apparel, one chopping axe, and one weeding hoe. Provided that the property hereby exempted from execution, shall not exceed the value of one hundred dollars, and if the articles herein enumerated, shall be found to exceed the above value, the debtor, shall have the privilege, to select such of them, as he shall wish to retain within that value. And Provided also, that the articles herein exempted from execution, shall not be given an account of, by*

What description of property shall be exempt from execution,

Proviso:

an insolvent debtor previously to his enlargement from prison.

Disinterested householders may be summoned in cases of controversy.

Sec. 2. If any dispute shall arise between any officer, and the person or persons claiming property about to be taken in execution, as to the amount of articles, exempt under the foregoing provisions, it shall be the duty of such officer to summons three of the nearest disinterested householders not related to either of the parties to determine on the point in dispute the opinion of a majority of whom, given in writing, under their hands shall be final.

All laws heretofore in force in this state exempting property from sales on execution are hereby repealed.

This act to effect and be in force from and after its publication.

CHAPTER XIX.

AN ACT, for the relief of Sheriffs and to legalize the proceedings of county commissioners.

APPROVED—December 24, 1818.

Whereas a number of the sheriffs of the several counties, did not receive the duplicate of their respective counties for the year 1818, in time to make collection according to law, therefore :

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the*

several collectors in this state be and they are hereby authorized, to go on and collect in the same manner as if the same had been demanded, on or before the first day of september 1818, and no advantage shall be taken in law, on account of the listing of property, or assessing of the tax not being made at the time prescribed by law.

SEC. 2. The Treasurer of this state is hereby authorized to settle with the several sheriffs without demanding damages for failing to make payment, at the time prescribed by law any time on or before the first day of April 1819 in the same manner, as if such settlement had been made, on or before the second Monday of December 1818, *Provided* such sheriffs shall pay in the full amount of the state revenue due from them on or before the said first day of April 1819.

SEC. 3. *Be it further enacted, That* no advantage shall be taken of the proceedings of the Board of county commissioners in Franklin county in consequence of the electors of that county failing to designate on their tickets, at the general election in August one thousand eight hundred and eighteen, which person voted for as commissioner was intended to fill the vacancy occasioned by the resignation of Enoch D. John and the proceedings of that Board shall be deemed legal, *Provided* however if the two persons elected at that time, shall refuse or neglect at the next meeting of the board, after the taking effect of this act, to settle or determine which shall be considered as filling the vacancy, the seats of both shall be

Sheriffs shall proceed to collect as if the tax had been demanded in due time.

No damages, if tax be paid before the 1st of April 1819.

Proceedings of commissioners of Franklin county legalized.

considered as vacated and filled according to law.

SEC. 4. No advantage shall be taken of the lister of Perry county in consequence of his appointing a deputy to list the property of that county but the same shall be considered as legally done.

Proceedings
of commis-
sioners of
Dubois
county legal-
ized.

SEC. 5. That so much of the proceedings of the Board of commissioners for the county of Dubois and state of Indiana, as relates to the appointing commissioners to fix the seat of Justice in Dubois county in consequence of the commissioners appointed by the General Assembly failing to attend, and the proceedings of the commissioners so as aforesaid appointed, so far as relates to the fixing the seat of Justice of the county aforesaid, be and the same are hereby legalized to all intents and purposes.

This act to take effect, and be in force from and after its passage.

CHAPTER XX.

*AN ACT, amendatory to an act entitled,
An act concerning Clerks.*

APPROVED—December 24, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That so much of An act entitled, An act concerning clerks approved and signed on the twenty first day of January eighteen hundred and eighteen as makes it the duty of clerks of*

the circuit court to reside at their respective seats of Justice be and is hereby repealed.

This act to take effect and be in force from and after its publication.

CHAPTER XXI.

*AN ACT, to repeal An act to encourage the killing of Wolves approved Decem-
24th 1816.*

APPROVED—December 28, 1818.

Be it enacted by the General Assembly of the state of Indiana, That from and after the taking effect of this act, the aforesaid recited act allowing compensation to persons killing wolves within this state, be and the same is hereby repealed; this act shall take effect and be in force from and after the first day of April next.

Duty of 1816
repealed.

CHAPTER XXII.

AN ACT, Supplementary to An act entitled, "An act authorizing the granting of letters testamentary, and letters of administration, for the settlement of intestate estates, and for other purposes."

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That the widow of any person who may die, and*

Apportionment of personal property to widows.

who at the time of his death resided within this state, shall be, if there be no issue, entitled to one equal moiety of all the personal estate of her said deceased husband, after his debts shall have been paid, and if there be issue, she shall be entitled to one third part of all the personal estate as aforesaid, any law to the contrary notwithstanding.

When associate Judges are interested: circuit court shall settle intestates estate in term time.

SEC. 2. In all cases where either or both of the associate Judges are concerned as administrator, or Guardian of any infant, whose estate they are alone authorized by the existing law to settle, the same shall be settled by the circuit court in term time, under the rules and regulations as is prescribed by the act to which this is an amendment.

CHAPTER XXIII.

AN ACT supplementary to an act entitled An Act regulating the Militia.

APPROVED—January 1, 1819.

Reservation of authority in the officers detached from old regiments.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, that whenever a new regiment being set off from any old regiment or regiments, any person holding a command in the regiment from which he is detached shall have all the powers and authority in said new regiment that they had in the regiment in which he had been commissioned, until the office so vacat-

ed by the formation of the said new regiment are filled as the law directs.

SEC. 2. *Be it further enacted*, that whenever any calls of the Militia should be made, all light companies shall be called by company, and under their own proper officers, beginning with the senior officer within the brigade in which they hold a command.

What companies first subject to duty.

SEC. 3. All owners and proprietors of ferries and toll bridges in this State are hereby required to convey over their ferries, and to permit to pass over their bridges, all militiamen who may be going to any muster or returning therefrom, on any day appointed by law for the mustering of the militia of this State, free of any charge or toll therefor, and for failure or refusal so to do, shall be liable to pay one dollar for every such offence, to be recovered before any justice of the peace, on information, and for the use of the person aggrieved, by action of debt, as in other cases.

Militia exempt from ferriage or toll on muster days.

This act to take effect and be in force from and after its publication.

CHAPTER XXIV.

AN ACT for the encouragement of Religion and Learning.

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the board of County Commissioners for the

Board of
Trustees of
the Princeton
Academy to
be appointed

County of Gibson, at their Spring session, annually and every year, shall appoint three fit persons of said county, as trustees, who, when appointed, shall be called and styled The Board of Trustees of the Princeton Academy.

Lot No. 1 to
be conveyed.

SEC. 2. That it shall be lawful for the agent of Gibson county, so soon as the appointment of the trustees hereby provided for shall have been made, to convey to said trustees and their successors, lot number one, in range one in the second survey of lots in the town of Princeton, in the said county of Gibson. That the lot of ground hereby mentioned and directed to be conveyed, shall forever remain and be for the purposes hereinafter mentioned, and for none other, to wit: the building houses of religious worship and seminaries of learning, which houses of worship shall be for the use of all preachers regularly ordained, and in good standing in their respective societies, according to their order. That no society, or other person, with the consent of the trustees or otherwise, shall be permitted to bury their dead upon said lot hereby directed to be conveyed, upon pain of forfeiture of the same to the said county of Gibson,

And for what
purposes.

CHAPTER XXV.

AN ACT making general appropriations for the year one thousand eight hundred and nineteen.

APPROVED—January 2, 1819.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That the following sums be, and the same are hereby appropriated, for the following purposes:—

Appropriation.

For defraying the expenses of the present General Assembly, including pay to the members thereof, secretaries, clerks, door-keepers, stationary, ink, ink-stands, fuel, printing, binding and distributing the laws and journals, making marginal notes and index to the same, together with all other just and necessary expenses, which are or may be incurred, the sum of four thousand five hundred dollars.

For the Assembly.

Distribution of the laws.

For the Executive department the sum of two thousand two hundred dollars.

For the Executive department.

For the Judiciary department the sum of four thousand nine hundred dollars.

Judiciary department.

For the interest on the public debt, one thousand five hundred dollars.

Contingent fund.

For defraying the contingent expenses of the government for the year 1819, the sum of three hundred dollars.

For the Military department, including the salary of the adjutant general, the sum of one hundred and fifty dollars.

Military.

For wolf scalps the sum of five hundred dollars, including the scalps that have not been paid in for the year 1818, as well as

those that may be paid in for the year 1819.

This act to take effect from and after its passage.

CHAPTER XXVI.

AN ACT, for the formation of a new county out of the counties of Sullivan and Daviess.

APPROVED—December 21, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That from and after the first day of January next, all that part of the counties of Sullivan and Daviess contained in the following bounds, shall form and constitute a separate county, viz.: Beginning at the north east corner of township eight of range three west of the second principal meridian line, thence west with the said township line to the north west corner of township eight, north of range six west, thence north with the range line dividing ranges six and seven to the south east corner of the county of Vigo; thence north with the line of Vigo county to the Indian boundary; thence south eastwardly with the Indian boundary to the range line dividing ranges two and three west; thence south with the range line dividing ranges two and three to the place of beginning.

SEC. 2. The said new county shall be known and designated by the name of the County of Owen, and shall enjoy all the

Boundary
thereof.

rights, privileges and jurisdictions which to separate and independent counties do or may properly appertain and belong.

Namē

SEC. 3. John Allen senior, of Daviess county, John Ingle, of Sullivan county, William Bruce, of Knox county, John Milroy of Lawrence county, and Toussaint Dubois, of Vigo county, are hereby appointed commissioners, agreeable to the act entitled an act for the fixing the seats of justice in all new counties hereafter to be laid off. The commissioners above named shall convene at the house of John Dunn, in the said county of Owen, on the first Monday of March next, and shall immediately proceed to discharge the duties assigned them by law. It is hereby made the duty of the sheriff of Daviess county, to notify the said commissioners, either in person or by written notification, of their appointments, on or before the first day of February next; and the said sheriff of Daviess county shall receive from the said county of Owen, so much as the county commissioners shall deem just and reasonable, who are hereby authorised to allow the same out of any monies in the county treasury, in the same manner other claims are paid.

Who shall be
the commis-
sioners.

When and
where to
meet.

SEC. 4. The circuit, and all other courts of the county of Owen, shall meet and be holden at the house of John Dunn, in the said county of Owen, until suitable accommodations can be had at the seat of justice; and so soon as the courts of said county are satisfied that suitable accommodations can be had at the county seat, they shall adjourn their courts thereto, after which time all the

Courts where
to be holden.

courts for the county of Owen shall be holden at the county seat of Owen county, established as directed by law. *Provided*, however, that the circuit court shall have authority to remove the courts from the house of John Dunn to any other place, previous to the public buildings being completed, should the circuit court see proper.

10 per cent reserved.
 SEC. 5. The agent who shall be appointed to superintend the sales of lots, of the county seat of the county of Owen, shall reserve ten per cent out of the proceeds thereof, and pay the same over to such person or persons as may be appointed by law to receive the same, for the use of a library for the said county of Owen, which he shall pay over at such time or times, and place, as may be directed by law.

SEC. 6. The Board of County Commissioners of said county of Owen, shall, within twelve months after the permanent seat of justice shall have been selected, proceed to erect the necessary public buildings thereon.

Shall form a part of the counties of Sullivan and Vigo for electing Senators and Representatives.
 SEC. 7. The said new county of Owen shall form a part of the respective counties of Knox, Daviess, Sullivan and Vigo, for the purpose of electing Senators and Representatives to the General Assembly, until otherwise directed by law, in the same manner as if this act had not passed.

SEC. 8. The same powers, privileges and authorities, that are granted to the qualified voters of the county of Dubois, and others named in the act entitled "An Act incorporating a county library, in the counties therein named, approved January 28th,

1818, to organize, conduct and support a county library, are hereby granted to the qualified voters of the county of Owen; and the same power and authority therein granted to, and the same duties therein required of, the several officers and the person or persons elected by the qualified voters of Dubois county and other counties in the said act named for carrying into effect the provisions of the act entitled an act incorporating a county library in the county of Dubois, and other counties therein named, according to the true intent and meaning thereof, are hereby extended to and required of the officers and other persons elected by the qualified voters of the county of Owen.

This act to take effect and be in force from and after its passage.

CHAPTER XXVII.

AN ACT for the formation of a new county out of the counties of Clark and Harrison.

APPROVED—January 2, 1819.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That from and after the first day of February next, all that part of the counties of Clarke and Harrison which is contained in the following boundary, shall constitute and form a new county to be known and designated by the name and style of the county of Floyd, to*

Floyd county. wit: beginning on the Ohio river, where the sectional line dividing fractional sections six and seven strikes the same in township four south of range five east, thence west with said line to the south west corner of section three, in the town and range aforesaid, thence north with the sectional line dividing sections numbers three and four to the township line dividing town number one and two, thence west with said township line to the south west corner of section thirty six, in town one south of range four east, thence north with the said sectional line dividing sections thirty four and thirty six to the corner of sections numbers twenty three, twenty four, twenty five and twenty six, thence east from said last mentioned corner with sectional line dividing sections twenty four and twenty five in town number one south in range number four east, thence with the said sectional line east to the Illinois grant line in the county of Clark aforesaid, thence with the said Illinois grant line south forty east to Silver Creek in said Grant, on the south side of lot number sixty six, thence down said Creek, with the meanders thereof, on the west side of the same, to the mouth thereof, thence down the Ohio to the place of beginning.

Boundaries.

When to take effect.

SEC. 2. The said new county of Floyd shall, from and after the first day of February next, enjoy all the rights, privileges and jurisdiction which to separate and independent counties do or may properly belong and appertain.

SEC. 3. That Zachariah Lindley of Orange county, Henry Restine, of Jefferson

county, and John Vawter of the county of Jennings, and Abraham Huff, of the county of Jackson, and William Hoggatt, of the county of Orange, be and they are hereby appointed commissioners, agreeable to an act entitled "an act for the fixing the seats of justice in all new counties hereafter to be laid off." The commissioners above named shall convene at the house of Joel Scribner, in the said county of Floyd, on the first Monday in March next, and shall immediately proceed to discharge the duties assigned them by law. It is hereby made the duty of the sheriff of Clark county to notify the said commissioners, either in person or by written notification, of their appointment, on or before the fifteenth day of February next, and the said sheriff of Clark county shall receive from the said county of Floyd so much as the county commissioners shall deem just and reasonable, who are hereby authorised to allow the same out of any monies in the county treasury, in the same manner as all other monies are paid.

SEC. 4. The circuit court, and other courts of the county of Floyd, shall meet and be holden at the house of Seth Woodruff, in the town of New Albany, in the said county of Floyd, until suitable accommodations can be had at the seat of justice in said county, and so soon as the circuit court is satisfied that suitable accommodations can be had at the county seat, they shall adjourn their courts thereto, after which time all the courts for the county of Floyd shall be holden at the county seat of Floyd county, established as directed by law: *Provided*, how-

Commissioners appointed.

Courts—where holden.

ever, that the circuit courts shall have authority to remove the court from the house of Seth Woodruff to any other place in said county of Floyd, previous to the public buildings being completed, should the said court deem it expedient.

SEC. 5. The agent who shall be appointed to superintend the sales of lots at the county seat of the county of Floyd, or receive donations, shall reserve ten per cent out of the proceeds thereof, and pay the same over to such person or persons as may be appointed by law to receive the same, for the use of a county library for said county of Floyd, which he shall pay over, at such time or times, and place, as may be directed by law.

SEC. 6. The Board of County Commissioners for the said county of Floyd, shall, within twelve months after the seat of justice shall have been selected, proceed to erect the necessary public buildings thereon.

SEC. 7. The said new county of Floyd shall form a part of the respective counties of Clark and Harrison for the purpose of electing senators and representatives to the general assembly, until otherwise directed by law, in the same manner as if this act had not been passed.

SEC. 8. The commissioners of the county of Floyd, or any court or board authorised to do county business, shall, from time to time, appoint supervisors, and apportion a sufficient number of hands, or money, as the law directs, to open and keep in repair the roads now leading from Jeffersonville to Vincennes, commonly called the State

Ten per cent reserved.

Shall form a part of the senatorial & representative districts.

Road, and also the road leading from Charleston to Coryden, and from Charleston to Salem, or so much of them as will be in the bounds of the said county of Floyd, and the court or board of the counties of Clark or Floyd, shall have free privilege, at all times, to build or throw a bridge across Silver Creek, by themselves or their authority, without the bar or hindrance of either party.

This act to take effect and be in force from and after its passage.

CHAPTER XXVIII.

AN ACT, for the formation of a new county out of the counties of Franklin and Wayne.

APPROVED—December 28, 1818.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, That from and after the first day of January next all that tract or parcel of country, which is enclosed within the following boundaries, shall constitute and form a new county to be known and designated by the name and style of the county of Fayette, to wit: be-* Fayette.
ginning at the south east corner of section thirty-three, township thirteen and range thirteen thence north three miles, thence east three miles to the old boundary line Boundary.
thence north to fractions twenty eight and thirty-three in the fifteenth township, range fourteen east of the second principal meri-

dian, thence west on said line, to a line dividing sections twenty-seven and twenty-eight in the fifteenth township range twelve east of the second principal meridian, thence north on said line to a line dividing townships fifteen and sixteen thence west six miles, thence south eighteen miles, thence east so far as to intersect the line dividing the twelfth and thirteenth townships thence along said line east to the place of beginning.

SEC. 2. The said new county of Fayette shall, from and after the first day of January next enjoy all the rights privileges and jurisdiction which to separate and independent counties do or may properly belong and appertain.

SEC. 3. That William Bradley of the county of Switzerland, James Dill and John Watts of Dearborn county, Williamson Dunn of Jefferson county and John F. Ross of Clark county are hereby appointed commissioners agreeable to the act entitled An act for the fixing the seats of Justice in all new counties hereafter to be laid off. The commissioners above named shall convene at the house of John M'Cormac in the said county of Fayette on the third Monday of February next and shall immediately proceed to discharge the duties assigned them by law. It is hereby made the duty of the sheriff of Franklin county, to notify the said commissioners either in person or by written notification of their appointments on or before the fifteenth day of January next, and the said sheriff of Franklin county, shall receive from the said county of

Commissioners appointed.

Where to convene.

Fayette, so much as the county commissioners shall deem just and reasonable who are hereby authorized to allow the same out of any monies in the county treasury in the same manner other allowances are paid.

SEC. 4. The circuit courts of the county of Fayette shall meet and be holden at the house of John M'Cormac in the said county of Fayette until suitable accommodations can be had at the seat of Justice and so soon as the courts of said county are satisfied that suitable accommodations can be had at the county seat they shall adjourn their courts thereto after which time the courts for the county of Fayette shall be holden at the county seat of Fayette county established as directed by law. *Provided however,*

When and where Circuit Court shall meet, until suitable accommodations are provided.

Provided.

SEC. 5. The agent who shall be appointed to superintend the sales of lots at the county seat of the county of Fayette or receive donations, shall reserve ten per cent out of the proceeds thereof and pay the same over to such person or persons as may be appointed by law to receive the same; for the use of a county library for said county of Fayette which he shall pay over at such time or times and place as may be directed by law.

Ten per cent reserved.

SEC. 6. The Board of county commissioners of said county of Fayette shall within twelve months after the permanent seat of Justice shall have been selected proceed

When public buildings shall be erected.

to erect the necessary public buildings thereon.

SEC. 7. The said new county of Fayette shall form a part of the respective counties of Franklin and Wayne for the purpose of electing senators and representatives to the general assembly, until otherwise directed by law in the same manner as if this act had not been passed.

Same powers
as these giv-
en to Dubois
and others.

SEC. 8. The same powers, privileges and authorities that are granted to the qualified voters of the county of Dubois and others named in the act entitled, "An act incorporating a county library in the counties therein named approved January 28th 1812," to organize conduct and support a county library are hereby granted to the qualified voters of the county of Fayette and the same power and authority therein granted to, and the same duties therein required of the several officers and the person or persons elected by the qualified voters of Dubois county and other counties in the said act named for carrying into effect the provisions of the act entitled, "An act incorporating a county library in the county of Dubois and other counties therein named according to the true intent and meaning thereof, are hereby extended to and required of the officers and other persons elected by the qualified voters of county of Fayette.

SEC. 9. *Be it further enacted,* That all that tract of land lying east of a line drawn due north from the south east corner of section thirty-four in township sixteen and range twelve east of the second principal meridian, until it extends as far north as the

north end of Wayne county shall be and the same is hereby added and made a part of Wayne county to all intents and purposes.

This act to take effect and be in force from and after its passage.

CHAPTER XXIX.

AN ACT, attaching part of Sullivan county to the county of Vigo.

APPROVED—January 1, 1819.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That from and after the tenth day of January next all that part of the county of Sullivan, lying within the following bounds to-wit: beginning on the Wabash river at the south west corner of said county of Vigo on the said river Wabash, thence with the meanders of the same, to where the township line dividing towns nine and ten intersects the Wabash, thence east with the said line to the range line dividing ranges six and seven then north with said line between ranges six and seven to the south east corner of Vigo county, shall be and the same is hereby attached to and shall form a part of the said county of Vigo, and the part so taken from the county of Sullivan, shall from and after the tenth day of January next at all times in law and in fact, be held decided and considered to all intents and purposes a part of the county of Vigo, *Pro-*

Boundaries
of that part
of the coun-
ty of Sullivan
attached to
Vigo.

Civil and
Official pro-
ceedings not
affected
thereby

vided all suits pleas complaints, actions and proceedings, which shall have been commenced, instituted and pending within the said county of Sullivan previous to the tenth day of January next, shall be prosecuted to final effect in the same manner as if this act had not been passed, and *Provided further*, that the state and county tax which will be due on the tenth day of January next shall be collected and paid in the same manner and by the same officers as if this act had not been passed.

This act to take effect and be in force from and after the 10th of January 1819.

CHAPTER XXX.

AN ACT, authorizing Jane Dubois, executrix, and William Jones, and Toussaint Dubois executors of Touissaint Dubois deceased to sell and convey certain lands.

APPROVED—December 31, 1818.

Authority
given to the
executrix
and execu-
tors to sell
and convey
lands not o-
therwise ap-
propriated.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana, That Jane Dubois executrix, and William Jones, and Touissaint Dubois executors of the last will and testament of Touissaint Dubois senior deceased, or the survivor, or survivors of them, be and they are hereby authorized to sell any of their lands, tenements, and hereditaments belonging, or appertaining to the estate of the said Touissaint Dubois senior deceased, whereof he died seiz-*

*ed, and which is not specially appropriated by his will; in such manner, and upon such terms and conditions, and to such person, or persons as may be agreed upon, by and between the said executrix and executors, or the survivor, or survivors of them; and the said executrix, and executors, or the survivor or survivors of them, be and they are hereby authorized to make and execute all necessary deeds of conveyance for securing to the purchaser, or purchasers, all the right, title, interest, claim and demand of the said deceased at the time of his death; of in and to all and singular the lands tenements and hereditaments, that may be sold and purchased, in manner and form as aforesaid, and the proceeds of any such sale, or sales as aforesaid, shall remain in the hands of the said executrix, and executors, as any other assets; and be appropriated by them in the payment of the debts of the said deceased, and in such other manner as the laws directs; *Provided however*, that nothing herein contained shall be so construed, as to authorize said executrix and executors to sell more of the lands belonging to the estate of the deceased, than will be necessary to pay the debts of said estate.*

To make
deeds of con-
veyance.

CHAPTER XXXI.

AN ACT authorising Davis Floyd, assignee of Harvey Heth deceased, to record the balance of the plat of the town of Corydon.

APPROVED—December 31, 1818.

Preamble.

WHEREAS Harvey Heth deceased did, in his life time, have the town of Corydon laid out, and having recorded only a part of the plat of said town, as considerable inconvenience may arise therefrom, to persons holding property in that part of said town which was not recorded by the said Harvey Heth, in his life time—For remedy whereof

Balance of the town plat of Corydon to be recorded.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That Davis Floyd, assignee of Harvey Heth deceased, be, and he is hereby authorised, to make oath to the correctness of the balance, or that part of the plat of said town which is not recorded, and to have the same recorded agreeable to law; which record shall be valid and legal to all intents and purposes, any law to the contrary notwithstanding.

This act to take effect and be in force from and after its passage.

CHAPTER XXXII.

AN ACT to authorise Stephen C. Stephens, his agent or agents, heirs or assigns, to build a bridge over Plumb Creek.

APPROVED—December 31, 1818.

WHEREAS it hath been represented to this present General Assembly of the State of Indiana, that there is in the vicinity of the town of Vevay, in the county of Switzerland in this State, a creek which empties into the Ohio river named Plumb Creek, and that from the depth of the water therein it greatly obstructs the main public road leading from the said town up the Ohio river, and that the banks of said creek are such, from height, steepness and softness that it is very difficult to ferry it—And for remedy whereof,

Importance of this act.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, that Stephen C. Stevens, of the town of Vevay, in the county of Switzerland aforesaid, his agent or agents, heirs or assigns be, and he, she or they are hereby authorised to build and erect a bridge across said creek, at least sixteen feet wide in the clear, with sufficient hand railings, and in other respects strong, convenient and safe, and the said Stephen C. Stevens, his agent or agents, heirs or assigns, shall be entitled to receive such rates of toll as may be allowed from time to time, by the board of county commissioners of Switzerland county.

Authority given to Stephen C. Stevens to build a bridge.

Rate of toll
to be made
conspicuous.

SEC. 2. It shall be the duty of the said Stephen C. Stevens, his agent or agents, heirs or assigns, to keep up, in some convenient place, on the said bridge, where the toll may be received, a list of the rate of toll allowed to be received, which said list shall be printed in large English print, and for every day the same shall be neglected, he, she or they, shall forfeit and pay, the sum of ten dollars, to be recovered before any justice of the peace by any person who will sue for the same.

Penalty for
altering or
defacing the
same.

SEC. 3. If any person or persons shall put down, deface, alter or destroy, the said printed list of rates, he, she or they so offending, shall forfeit and pay to the said Stephen C. Stevens, his agent or agents, heirs or assigns, the sum of twenty dollars, one half to the use of the informer, to be recovered by action of debt, before any justice of the peace.

Penalty for
demanding
more than
legal toll.

SEC. 4. It shall be the duty of the said Stephen C. Stevens, his agent or agents, heirs or assigns, as long as he, she or they shall be entitled to receive toll for said bridge, to keep the same in good repair, and if, in neglect thereof, the said bridge shall become unsafe and inconvenient for passengers, he, she or they, for every week said bridge may be thus out of repair, reasonable time for making repairs excepted, shall, on conviction thereof, before any court having competent jurisdiction, be fined in any sum not exceeding fifty dollars, at the discretion of the court trying the same, one half for the use of the informer, and the other half for the use of the county, and shall be, moreover liable to the action of the party aggrieved.

SEC. 5. If the said Stephen C. Stevens, his agent or agents, heirs or assigns, shall demand and receive from any person or persons any higher or greater toll than are allowed by and under the provisions of this act, or shall demand and receive any toll from any person or persons who may, by the provisions of this act pass over said bridge, without paying toll, he she or they shall by action of debt, brought by or for the use of the party aggrieved, pay to such party fourfold the amount thus extorted from such person or persons, with costs, before any justice of the peace.

Penalty for
demanding
more than
legal toll.

SEC. 6. The toll taken at such bridge shall be lawfully received under the provisions of this act, by the said Stephen C. Stevens, his agent or agents, heirs or assigns, for and during the term of twenty years, from and after the publication of this act, and no longer.

Duration of
incorporation

SEC. 7. After said bridge is once completed, agreeably to the true intent and meaning of this act, and at all times afterwards, for and during the said term of twenty years, it shall not be lawful for any person or persons, to have, keep, or cause to be had or kept, any bridge or ferry over said creek, within one mile of said toll bridge, for the purpose of conveying passengers over for any reward.

SEC. 8. Nothing in this act shall be so construed as to permit the said Stephen C. Stevens, his agent or agents, heirs or assigns, to build and erect said toll bridge over said creek, unless he, she or they shall have the same completed within the term of

When to be
completed.

two years from and after the taking effect of this act, nor unless he, she or they shall have the right, in fee simple, to the soil on which said bridge shall be erected: *Provided*, that nothing in this act shall be so construed as to authorise the proprietor or proprietors of the said bridge to obstruct any road or roads that now are, or hereafter may be established according to law across the within named creek.

SEC. 9. That whenever the county commissioners shall wish to purchase said bridge, they shall be at liberty to appoint five disinterested free holders to value said bridge at its intrinsic value, which said valuation the commissioners are hereby authorised to pay, and said Stevens shall surrender such bridge.

This act to take effect and be in force from and after its publication.

CHAPTER XXXIII.

AN ACT authorising the trustees of the town of Hartford to dispose of certain property, for the benefit of a public seminary in said town.

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That it shall be lawful for the trustees of said town of Hartford, in Dearborn county, to sell and

convey eight lots in the said town, which are known and recorded on the plat of said town as the public square.

Trustees
may sell 8
lots.

SEC. 2. That the said trustees, or a majority of them, shall give at least thirty days notice, in some public newspaper, of the time and place at which the sale will take place; and the said trustees shall appoint a crier, who shall expose the said lots to sale, in the town of Hartford, for the highest bid and best price which can be had for the same, after having given the notice required in the preceeding section of this act; and the said trustees shall give the purchasers a bond for a title to said lots, so soon as full payment shall be made for the same, and shall take bond with good security, of the purchaser, for the purchase money, payable within twelve months from the day of sale; and the said trustees shall appoint one of their own body to take charge of the money arising from such sale, which shall be by him appropriated for the purpose of building a seminary in said town: *Provided*, that the person appointed to take charge of the money shall give approved security for the faithful discharge of his duty to the balance of the trustees of the said town of Hartford.

To give no-
tice of sale.

To give bond
for a title.

To take bond
of the pur-
chaser.

SEC. 3. The trustees of the said town of Hartford shall, within six months after receiving the proceeds of the sale of said lots, or any part thereof, proceed to build the said seminary, and shall, from time to time, appropriate the funds so raised, as they may be collected, to the building and completing the same, according to the true intent and meaning of this act.

To build or
commence
the public
seminary:

Twenty feet
of Water
Street to be
vacated.

SEC. 4. *Be it further enacted*, that twenty feet of the north side of the street, which is known and designated on the map or plan of the said town by the name of Water Street, shall be, and the same is hereby vacated; and it shall be lawful for the original proprietors of the said town, or their legal representatives, to dispose of the same, as they might or could have done had the same never been so laid out as a street: *Provided*, however, the proprietor or proprietors, or their legal representatives, shall not appropriate or dispose of any part of the said street so vacated until they shall have laid out at least four lots together in some convenient place in said town, for the use of public buildings in said town.

This act to take effect and be in force from and after its publication.

CHAPTER XXXIV.

AN ACT for the relief of Jacob Lewis and Willis Law.

APPROVED—December 31, 1818.

Representa-
tion.

WHEREAS, Jacob Lewis and Willis Law, have, by their petition, represented to this General Assembly, that the said Jacob Lewis, of Jefferson county, did obtain of John Paul, who was appointed by the court of common pleas for that purpose, a lease on the south west quarter of section No. sixteen, in town four, north of range

eight east, for the term of seven years, bearing date the twenty fourth December, eighteen hundred and eleven, and whereas the said Willis Law became assignee of William Lewis, who obtained a lease from the same authority, on the north west quarter of the same section, for the term of seven years, bearing date twenty fourth day of December eighteen hundred and eleven, and whereas the petitioners were deprived of the benefit of said lease for near two years, by the savages in the late war, therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the said Jacob Lewis and Willis Law, be, and they are hereby allowed, a further time of one year, from the expiration of said leases. This act to take effect and be in force from and after its publication.

Further time
allowed.

CHAPTER XXXV.

AN ACT, for the relief of Abigail Dickerson administratrix of Ebenezer Dickerson deceased.

APPROVED—December 31, 1818.

Whereas it as been represented that the act of the general assembly of the state of Indiana passed the twenty eighth day of January in the year one thousand eight hundred and eighteen authorizing the sale of several parcels of real estate, as the property of Ebenezer Dickerson, deceas-

Representa-
tion.

ed for certain purposes in said act set forth is erroneous, the said Dickerson never having owned fifty acres of land in number ninety four in the Illinois grant as stated in the preamble to said act, but the said Dickerson having been the owner of fifty acres in number thirty-four of said grant, the attorneys in fact to-wit: Henry Hurst and Charles Fuller for the above named Abigail Dickerson administratrix as aforesaid have under the equity of the above named act made an agreement for the sale thereof. Therefore.

Repeal of a
a part of the
former law.

And other
and further
powers given
to A. Dickerson.

Be it enacted by the General Assembly of the state of Indiana, That so much of the act for the relief of Abigail Dickerson administratrix of Ebenezer Dickerson deceased as authorizes the sale of fifty acres of land in number ninety-four in the Illinois grant be and the same is hereby repealed and that the said Abigail Dickerson administratrix as aforesaid be authorized by her attorneys or otherwise to make conveyance in fee of the said fifty acres of land in number thirty-four in said grant agreeable to the contract and sale so as above recited made by the above named attorneys of the said Abigail, which conveyance when so made shall be valid and convey all right and title of the heirs of the said Ebenezer Dickerson deceased to the said tract to the purchaser thereof.

CHAPTER XXXVI.

AN ACT, to provide for the speedy printing of the local, and special acts of the General Assembly.

APPROVED—January 1, 1819.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That any local or special act of this, or any succeeding session of the general assembly of this state, shall be considered as published, when printed in the News-paper, published by the printer or printers to the state, and received at the county seat of the county or counties where such law is to operate, if such county seat is established, if not, it shall be considered as in force so soon as it comes into the hands of such persons, as are authorized to act upon it.

This act to take effect and be in force from and after its publication in the Indiana Gazette.

CHAPTER XXXVII.

AN ACT, to authorize the sale of a certain tract of land belonging to the estate of Asaph Chandler deceased.

APPROVED—January 1, 1819.

Whereas it is represented to the general assembly, that Asaph Chandler late of Evansville and two other persons, a few

months since, became the owners and proprietors of a small tract of land containing thirty acres, being part of the fractional section on which the town of Evansville is situated; each of the said three persons owning one undivided third part of said land which said purchase was made for the sole purpose of being laid off into lots and sold by the proprietors, whenever a good opportunity might offer.

Preamble.

And whereas it is further represented that the sale of the said tract of land or of a considerable part thereof, would afford, an opportunity for its improvement as town property, and thus greatly enhance the value of the other real property adjoining thereto and belonging to said estate but inasmuch as the said Asaph Chandler has lately died intestate and there being no person authorized to sell any part of his real estate, the object of the aforesaid purchase cannot be effected. For remedy whereof.

Power given to John G. Chandler to dispose of certain lands

Be it enacted by the General Assembly of the state of Indiana. That John G. Chandler administrator of the estate of the said Asaph Chandler deceased be and he is hereby authorised to sell and convey the said undivided third part of the said thirty acres of land, whereof the said Asaph Chandler died seized, and which was formerly conveyed to him by Isaac Blackford, in such manner at such times and upon such terms, as the said administrator may deem most

advantageous for the estate, and the said John G. Chandler administrator as aforesaid is hereby authorized to make and execute all necessary deeds of conveyance, for ensuring unto the purchasers the absolute fee simple of and in all and singular the said undivided third part of the said thirty acres of land or of any part or parcel thereof.

The proceeds of any such sale or sales shall be considered as assets in the hands of the administrator and be disposed of in the payment of debts & for such other purposes as the law directs. *Provided however,* that the said John G. Chandler administrator as aforesaid, shall give such other and further security, to the court authorized to grant letters of administration as such court may require.

This act to take effect and be in force from and after its passage.

—:~:—

CHAPTER XXXVIII.

AN ACT, to revive an act entitled, "An act for incorporating the Roman Catholic church in Vincennes."

APPROVED—January 1, 1819.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That the act passed and approved on the seventeenth day of December in the year of our Lord one thousand eight hundred and ten entitled, "An act for incorporating the Roman

Revival of the former act of incorporation.

Catholic church in Vincennes," be and the same is hereby revived, with all the powers, privileges and immunities and under all the restrictions and conditions therein granted and prescribed.

SEC. 2. *And be it further enacted,* That Anthony Blane, Francis Vigo, Hyacinth Lasselle, Peter Brouillet, Peter Andre, Ambrose Mallet, and John Baptise Laplante and their successors duly elected and appointed in manner and form as is by said original act directed be and they are hereby made and constituted a corporation and body politic in law and in fact, to have continuance forever by the name and style of the trustees of Saint Francis Xavier of Vincennes.

SEC. 3. *And be it enacted,* That said corporation shall always consist of seven members of whom the rector of the church for the time being [duly appointed according to the rules and canons of the Roman Catholic church] shall be president and shall upon an equal division of the trustees present have a vote except in cases in which he may in any manner be particularly interested.

SEC. 4. *And be it further enacted,* That the said Anthony Blane, Francis Vigo, Hyacinth Lasselle, Peter Brouillet, Peter Andre, Ambrose Mallet and John Baptise Laplante the trustees hereby appointed and incorporated shall be and continue trustees aforesaid until the first Monday of November 1819 and until they be removed in manner and form as is directed for the election

Body politic
incorporat-
ed.

Number
composing
the corpor-
ation.

Continuance
in office of
the trust-
ees.

of trustees by the original act of incorporation.

SEC. 5. *And be it further enacted,* That if from any cause whatever, the time should elapse without the election of trustees, as is directed by the original act of incorporation, then said election may be held on any other day appointed for the purpose at any time after, although it may be in any subsequent year, of which notice shall be given by the rector of said church immediately after divine service on two succeeding Sundays before the day of election.

This act to take effect and be in force from and after its passage.

In case of the
lapse of
time for e-
lecting trust-
ees, they
may there-
after be e-
lected.

CHAPTER XXXIX.

AN ACT, to authorize the printing and distributing the acts and Journals of the present General Assembly.

APPROVED—December 31, 1818.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That it is hereby made the duty of the secretary of state to furnish the public printers, with the acts & joint resolutions of the present general assembly, whose duty it shall be to print fifteen hundred copies thereof, together with an index which shall be made out by said secretary: and it shall be the duty of said printers, so soon as the printing aforesaid shall have been completed, to return to the office of the said secretary of state, the

The secre-
tary of state
shall furnish
the acts and
journals of
the present
session.

And index.

Manuscripts
to be return-
ed.

manuscripts furnished as aforesaid. And in printing the aforesaid acts, and joint resolutions it shall not be necessary to print either the name of the speaker of the house of representatives, the president of the senate, or of the Governor, but immediately after the title of each act, and joint resolution the time of its approval shall be inserted.

SEC. 2. The printers of the laws are hereby requested to print the laws and Journals of the present session at the rate of thirty-two pages per week agreeable to contract.

When the
printer shall
be paid.

SEC. 3. So soon as the said printing shall be completed and the copies delivered to the secretary of state agreeable to contract, the state treasurer shall pay the price contracted for, upon the order of the auditor of public accounts, out of any monies in the state treasury not otherwise appropriated. The certificate of the secretary of state, for the receipt of the same, shall be sufficient authority for the auditor to audit and allow said printers the amount so contracted for.

Secretary,
treasurer and
auditor to
contract for
the transpor-
tation of the
laws.

SEC. 4. The secretary of state, auditor, and state treasurer, are hereby authorized and required to contract with some person or persons, to convey the copies of the acts and Journals when printed, and stitched, to the clerks of the circuit courts of the several counties in this state, in proportion herein after mentioned, taking bond and security for the faithful performance of the contract, and the expence of such distribution shall be paid by the state treasurer, upon

the order of the auditor of public accounts, out of any monies in the treasury not otherwise appropriated. And the laws and Journals aforesaid shall be distributed as follows viz: the counties of Wayne, Franklin, Clark, Harrison, Dearborn, Jefferson, Washington, Knox, Orange, Posey, and Gibson, each forty five copies of the acts. The counties of Randolph, Fayette, Switzerland, Ripley, Jennings, Jackson, Lawrence, Monroe, Owen, Vigo, Sullivan, Davies, Dubois, Pike, Vanderburgh, Warrick, Spencer, Perry, and Crawford, each thirty five copies of the acts, to each member of the Senate, eight copies of their Journals, and to each member of the house of representatives, twelve copies of their Journals to be distributed by them among their constituents.

No. of co-
pies to be sent
to each coun-
ty

SEC. 5. The governor, lieutenant governor, secretary of state, auditor, and state treasurer, each member of the present general assembly, each judge of a court, each and every justice of the peace, clerk of the several courts, recorder, county commissioners, sheriff, coroner, and county treasurer, elected, or who shall hereafter be elected, in this state shall be entitled to receive, one copy of the acts of the present general assembly, upon application to the clerk of their respective counties.

SEC. 6. Every county and township officer, who hath or shall hereafter receive any copy, or copies of the acts of the general assembly, shall at the expiration of his office, or on resignation, or removal therefrom deliver all copies that he shall have so receiv-

Penalty on those who shall fail to deliver over the copies with which he was furnished.

ed, to the clerk of the court of his county, or to his successor in office; and every person failing so to do, shall forfeit and pay for every such offence, the sum of six dollars, to be recovered by action of debt, as in other cases, one half to the benefit of the state, and the other half for the use of such successor, whose duty it shall be to sue for the same.

Repeal of former law.

SEC. 7. *And be it further enacted*, that so much of the law heretofore in force in this State, as authorises and requires the Secretary of State, Auditor and State Treasurer, to contract for the printing and distributing of the laws and journals of any session of the General Assembly hereafter to be holden in this State, and to contract for Stationary, be and the same is hereby repealed.

Constitution, Ordinance, &c. to be printed.

SEC. 8. The printers of this State are hereby authorised and directed to reprint, with the acts of the present session of the General Assembly, the Constitution of the State of Indiana, with the Ordinance annexed thereto, also the act of Congress for the admission of the State of Indiana into the Union on an equal footing with the original States.

Duty of the Secretary of State.

SEC. 9. It is hereby made the duty of the Secretary of State to furnish the printers with a copy of the Constitution, Ordinance, and act aforesaid, and to attend the examination of the proof sheet, to see that the same is correctly done, for which service, and making out the index aforesaid, the Governor is hereby authorised to allow him

such sum as he may think right, out of the contingent fund.

his act to take effect from and after its passage.

CHAPTER XL.

AN ACT for the relief of John Hurst junior, late Sheriff of Harrison County.

APPROVED—December 31, 1818.

WHEREAS it is represented to the present General Assembly, by the petition of John Hurst junior, that the same difficulties exist with him, as sheriff for Harrison county, for the year 1815, as did exist for the years 1812, 13 and 14, and for which the said last General Assembly passed a special act, for relief wherefore,

Representation.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the special act passed by the last session of this General Assembly entitled "An Act for the relief of John Hurst junior, late sheriff of Harrison county, and which gave him relief for the years eighteen hundred and twelve, thirteen and fourteen, be extended, in every particular, & under all the restrictions therein named, to the year eighteen hundred and fifteen.

Extension of the act for the relief of John Hurst.

This act to take effect and be in force from and after its passage.

CHAPTER XL.

AN ACT to authorize the qualified electors of Perry County to elect certain officers, and for other purposes.

APPROVED—December 28, 1818.

WHEREAS it has been represented to this General Assembly, that the qualified voters of the county of Perry failed to assemble themselves together and elect a president and seven directors for the library of said county, agreeable to an act entitled "An Act incorporating a county library in the county of Dubois and other counties therein named—Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* that the qualified voters of said county of Perry be, and they are hereby authorised and required, to meet at the place of holding the general election for said county, and at the general election to be holden in August next, and proceed to elect a president and seven directors, for the library of said county, in manner and form as provided by the act mentioned in the preamble of this act; and the persons thus elected shall hold their offices respectively, under the provisions of said act, until the next general election provided for and pointed out by said act, and no longer.

SEC. 2. That the agent of said county shall, and it is hereby made his duty, to pay over to the treasurer of the library of said county, the ten per centum appropriated by

Representa-
tion.

The qualifi-
ed voters of
Perry may
elect a pre-
sident and di-
rectors for a
library.

the constitution of the State of Indiana to each and every county, on the net proceeds of the sale of lots in the town of Franklin, the seat of justice of said county, to be disposed of as is contemplated by the said constitution.

This act to take effect and be in force from and after its publication.

The agent of
said county
shall pay o-
ver the ten
per centum.

CHAPTER LXII.

AN ACT, authorizing Thomas Heampstead, guardian of William Henry Vanderburgh, to convey ten acres of land, as guardian to Francis Vigo.

APPROVED—January 1, 1819.

WHEREAS it has been represented to this General Assembly, by the petition of Francis Vigo, and the certificate of Robert Buntin and William McIntosh, that Henry Vanderburgh deceased, in his life time exchanged with Francis Vigo ten acres of land for one lot in Vincennes, and that the said Francis Vigo has deeded the lot to Henry Vanderburgh, and the said Henry Vanderburgh, owing to his untimely death, did not make to the said Francis Vigo a deed for the ten acres of land, and that the said ten acres is in the survey of the tract which in the division of the estate fell to the share of William Henry Vanderburgh,

SEC. 1. For remedy whereof—*Be it enacted by the General Assembly of the State*

R

Memorial.

Power given
to T. Heamp-
stead to con-
vey 10 acres
of land to
Francis Vigo

of Indiana, that Thomas Heampstead, guardian of William Henry Vanderburgh, is hereby authorised, upon satisfactory proof being made to him that such was the intention and contract of Henry Vanderburgh with Francis Vigo, to make to the said Francis Vigo a deed conveying all the right, title, interest and claim of William Henry Vanderburgh, his ward, to the said ten acres of land, it being a part of a tract of one hundred and thirty six acres and sixteen perches, granted to Henry Vanderburgh deceased, and joining a survey of the said Francis Vigo.

Sec. 2. Should the said guardian find that the said ten acres of land was a part of the share or lot of his ward, in the division of the estate of Henry Vanderburgh deceased, then he shall be at liberty, and hereby is authorised, to settle with the other heirs of Henry Vanderburgh deceased, in an amicable way, and the guardian of Elizabeth Vanderburgh and James Vanderburgh are hereby authorised and empowered, on the part of their wards, to settle amicably, and pay their equal shares with the other heirs, to the said Thomas Heampstead, guardian of William Henry Vanderburgh.

He may settle with H. Vanderburgh's heirs in an amicable way.

CHAPTER XLIII.

AN ACT for the relief of John Sturgeon.

APPROVED—January 1, 1819.

WHEREAS it is represented to the present general Assembly, by the petition of John Sturgeon, that on the eighth day of October, in the year eighteen hundred and seventeen, he entered a half quarter section of land in the name of Edmund Sturgeon, his infant son, the same being immediately adjoining the town of Mountsterling, and that he is not able to clear the said land out of the land office—for remedy whereof,

Petition.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana,* That John Sturgeon shall be, and he is hereby authorized, to sell and convey so much of said land as may be necessary to pay to the United States the balance due thereon; and the conveyance of John Sturgeon, as the natural guardian of his infant son, shall be good and valid in law and equity, to all intents and purposes.

J. Sturgeon
authorised to
sell a part of
said land.

SEC. 2. Whenever the board of county commissioners for Crawford county shall hereafter lay off any new town lots adjoining Mountsterling, they may alter or vacate the alley or street on the western limit of said town, and lay the same off in lots or otherwise, as will make the range of lots equal in number, and the streets of equal distance apart.

Commissioners may alter the allies on the western limits of said town.

This act to take effect and be in force from and after its publication.

CHAPTER XLIV.

AN ACT to vacate a part of Georgetown.

APPROVED—January 1, 1819.

A part of
Georgetown
vacated.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That that part of Georgetown which was laid out on the 11th of May, one thousand eight hundred and fifteen, is hereby vacated, including lots from number eighty nine to one hundred and twenty, both numbers included, with all the streets and allies attached to them.

This act to take effect and be in force from and after its publication in print.

CHAPTER XLV.

AN ACT to erect a bridge over the mouth of Arnold Creek.

APPROVED—January 1, 1819.

WHEREAS it is represented to this General Assembly, that at the mouth of Arnold's Creek in Dearborn county, a bridge is much wanted, and that the land belongs to a school section,

Therefore *Be it enacted by the General Assembly of the state of Indiana.* That if in the opinion of the board of county commissioners of Dearborn county, the situation of the county treasury will not admit of build-

ing a bridge over the mouth of Arnold Creek at the expense of the county, they are hereby authorised to grant to Abel C. Pepper, Decoursey and Lott North, the privilege of building a toll bridge over the mouth of said creek, and to grant them a lease on reasonable terms on the school section, at the mouth of the creek aforesaid, for the purpose of building said bridge, and erecting such buildings as may be necessary connected therewith, and to allow them such toll as they may think right.

This act to take effect and be in force from and after its passage.

County Commissioners authorized, if they think proper, to grant to A. C. Pepper & others certain privileges.

CHAPTER XLVI.

AN ACT divorcing Sally Davidson from her late husband Peter Davidson.

APPROVED—January 1, 1818.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That from and after the publication of this law, the marriage of the said Sally Davidson with the said Peter Davidson shall be, and the same is hereby dissolved.

Dissolution of the bonds of matrimony.

CHAPTER XLVII.

AN ACT to vacate a part of the town of Lawrenceburgh.

APPROVED—December 31, 1818.

A part of the town of Lawrenceburgh vacated.

Proviso.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the original proprietor of the town of Lawrenceburgh in the county of Dearborn, and State of Indiana, shall be, and he is hereby authorized, to vacate all that part of the said town of Lawrenceburgh which is situated between Ash Street and Mulberry Row, in said town, and also all that part of the in lots in said town of Lawrenceburgh which is situated south and west of said Ash Street: *Provided*, however, that nothing herein contained, shall authorize the said proprietor, his heirs or assigns, to enclose or appropriate, to his or their own use, any part of High Street, Mulberry Row or Partition Lane; but the same shall be and remain, public highways, as heretofore: and *Provided also*, that the consent of the free-men of the town of Lawrenceburgh shall be first obtained, according to the provisions of an act to incorporate said town, passed by the legislature of the late Indiana territory, A. D. 1815.

This act to take effect from and after its publication.

CHAPTER XLVIII.

AN ACT to authorise John Barricklow and Gideon Cummins to build a toll bridge across Laughery Creek.

APPROVED—January 1, 1819.

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, that John Barricklow and Gideon Cummins, their agent or agents, heirs or assigns, be, and he, she or they, are hereby authorized, on the following conditions, and subject to the following restrictions hereinafter specified, to erect at their own expense, a toll bridge across Laughery Creek, at the town of Hanover, in the county of Dearborn, at least sixteen feet wide in the clear, with good and sufficient hand railing on each side, and in other respects strong, convenient and substantial, for the safe and easy passage of all travellers, horses, cattle, hogs, carriages of every description, and such other commodity or thing whatever which may pass that way, and constructed in such manner as not to obstruct the navigation of the said Laughery Creek, or prevent the passage of boats of any description at any stage of the water whatever.

Power and authority given to build a bridge, and to whom.

SEC. 2. If the said John Barricklow and Gideon Cummins, their agent or agents, heirs or assigns, shall within three years from and after the passage of this act, have erected and completed the said bridge in the manner contemplated by this act, they, their heirs or assigns, or representa-

When said bridge shall be completed.

What toll allowed.

tives, may ask, demand and receive, such toll as may be allowed by the county commissioners for the county of Dearborn, whose duty it shall be to fix the rates of such toll and regulate the same; *Provided*, that public mails and expresses, all troops of the United States or of this State, with their artillery, baggage and stores may pass said bridge free from the toll aforesaid.

Rate of toll
to be kept
up.

SEC. 3. It shall be the duty of the said John Barricklow and Gideon Cummins their agent or agents heirs or assigns to keep up in some convenient place on said bridge where the toll shall or may be received and collected a list of the rate of toll allowed to be received which list shall be printed in large English print and for every day the same shall be neglected after reasonable time to have the same printed he she or they shall forfeit and pay the sum of twenty dollars to be recovered before any justice of the peace by any person who shall sue for the same.

Penalty on
those who
shall pull
down, alter
or deface.

SEC. 4. If any person or persons other than the person or persons lawfully keeping said bridge shall pull down deface alter and destroy said printed list of rates he she or they so offending shall upon conviction thereof before any justice of the peace forfeit and pay the sum of twenty dollars one half to the informer and the other half to the use of the county.

SEC. 5. That the board of county commissioners for the county of Dearborn shall upon the application of the said John Barricklow and Gideon Cummins their agent or agents heirs or assigns appoint five disin-

terested free-holders whose duty it shall be to examine the said bridge when the same shall have been completed at the expence of the persons desiring it and if they shall certify that the said bridge is in every respect completed as is required in the first section of this act it shall be lawful for the said John Barricklow and Gideon Cummins their agent or agents heirs or assigns or legal representatives to ask demand and receive toll in the way herein before set forth and to enjoy all the privileges emoluments and advantages secured to them by this act so long as they shall keep said bridge in repair, *Provided however* that whenever the county commissioners or their successors in office in thirty years after the completing the said bridge shall think it the interest of the county to purchase the same upon the award of five free holders two chosen on the part of the proprietors and two chosen on the part of the county and the fifth chosen by the four chosen as aforesaid what the value of the bridge is it shall be given up by the proprietors upon payment of the sum awarded to the use of the county.

Commission-
ers may ap-
point per-
sons to exa-
mine said
bridge and
report.

Provided

SEC. 6. It shall be the duty of the said John Barricklow and Gideon Cummins their agent or agents heirs or assigns so long as they shall be entitled to receive toll at the said bridge to keep the same in good repair and in neglect of the said duty the said John Barricklow and Gideon Cummins their agent or agents heirs or assigns shall at any time suffer said bridge to be out of repair so as to be unsafe or inconven-

Compelled to
keep the
bridge in re-
pair.

ient for passengers to pass he she or they on conviction thereof before any justice of the peace by action of debt shall forfeit and pay any sum not exceeding fifty dollars at the discretion of the justice who tries the same one half to the informer the other half to the use of the county and moreover liable to the action of the person aggrieved thereby.

Penalty for
demanding
more than
lawful toll.

SEC. 7. If the said John Barricklow and Gideon Cummins their agent or agents heirs or assigns or any toll keeper who may by them be appointed to receive the tolls of said bridge shall demand and receive from any person or persons any higher or greater sum than such as are allowed by the county commissioners or shall collect or demand any rate or toll from any person or persons so offending shall forfeit and pay the sum of five dollars to be recovered by action of debt before any justice of the peace of the proper township at the suit of the party aggrieved.

No other
bridge shall
be established
within a
certain limit.

SEC. 8 It shall not be lawful for the county commissioners in and for the said county of Dearborn from and after the time the said bridge may be completed and open for passengers nor any other court within said county to establish any ferry or bridge over said Langhery creek within one mile of the aforesaid bridge for and during the time the said bridge is kept in repair as a toll bridge.

This act to take effect and be in force from and after its publication in print.

CHAPTER XLIX.

AN ACT, making specific appropriations.

APPROVED—January 2, 1819.

SEC. 1. *Be it enacted by the General Assembly of the state of Indiana, that the sum of twenty-one dollars ninety seven and one half cents be allowed to John Tipton for serving a scirefacias on John Hurst and securities and for fuel furnished at the May and November term of the supreme court in the year 1818, and the sum of five dollars is hereby allowed Tipton and Truett for candles furnished the present session of the general assembly and the sum of nine dollars and twelve and one half cents be allowed John Johnson for a chest furnished for the use of the general assembly and water vessels— the sum of two dollars per day be allowed William H. Gilkerson as sergeant at arms for fourteen days, to Ephraim and Thomas Gwartney for fuel furnished the present general assembly the sum of twenty-six dollars and ninety-four and one half cents, the sum of forty-four dollars to John Tipton for attending twenty-two days on the supreme court as sheriff in May and November terms 1818.*

SEC. 2. That Robert A. New and Henry P. Coburn be allowed the sum of fifteen dollars each in addition to the sum paid them for making the index and marginal notes to the laws of the last session of the general assembly.

SEC. 3. The auditor of state shall audit

the above sums and the treasurer shall pay the same out of any money appropriated for specific appropriations, and the sum of one hundred and sixty-three dollars, and seven cents is hereby appropriated for the payment of the above sums.

RESOLUTIONS.

CHAPTER 1.

A JOINT RESOLUTION, on the subject of persons claimed as fugitives from labor.

APPROVED—December 31, 1818.

WHEREAS sundry persons destitute of every principal of humanity are in the habit of seizing carrying off and selling as slaves, free persons of color who are or have been for a long time inhabitants of this state : and whereas all persons resident therein, are under the protection of our laws, and fully invested with those invaluable rights, guaranteed by our constitution namely, life, liberty & the pursuit of happiness of which they cannot be divested but on conviction of crime against the community of which they may claim to be members, by a jury of their country according to law. Therefore most solemnly disavowing all interference, between those persons who may be fugitives from service and those citizens of other states, who may have a just claim to such service, whenever such claim is legally established we deem it our just right to demand the proofs of such claim to service according to our laws. Wherefore.

Preamble.

Resolved, by the general assembly of the state of Indiana, that our senators in

congress be instructed and our representative be requested, to use their exertions to prevent congress from enacting any law, the provision of which would deprive any person resident in this state, claimed as a fugitive from service of a legal constitutional trial, according to the laws of this state before they shall be removed therefrom.

CHAPTER II.

A JOINT RESOLUTION, authorising
*the reception of bank notes for debts due
the state, and for other purposes.*

APPROVED—December 16, 1818.

Resolved by the General Assembly of the state of Indiana, That the several sheriffs and others, collectors of public monies, either for state or county purposes, within this state, be authorized to receive and pay over to the state or county treasurers, as the case may be, all sums with which they may stand charged respectively, in bank notes on the following banks, to wit: the chartered banks of this state and their branches; the bank of Kentucky and its branches; the state bank of Tennessee & its branches; the bank of Illinois at Shawnee-town; the chartered banks of Virginia and their branches; the state bank of North Carolina and its branches; the independent banks of Louisville, Lexington, Frankfort, Shel-

byville, George-Town, Bairds-Town, Henderson, Glasgow, Bowling-Green, and of Greenville Muhlenburgh county Kentucky, Burlington, Harrodsburgh, Lancaster, Richmond, New Castle, Versailles and Limestone, the chartered banks in Cincinnati, Lebanon, Hamilton, Dayton, Urbana, Columbus, Lancaster, Steubenville and Marietta Ohio, the old bank of Chillicothe, and the old bank of Zanesville Ohio; the bank of Utica New-York, and the bank of Missouri.

Resolved, further, That the State or County Treasurer, as the case may be, are hereby authorized and directed, to receive and receipt for the same, to the proper officer or officers paying the same into the Treasury; Provided, however, that nothing in this resolution shall make it the duty of any collector or treasurer to receive the paper of the above named banks when such paper shall cease to be current in this State; and Provided also, that nothing in this resolution shall be so construed as to make it the duty of any of the above named officers to receive post notes, or such as are payable after date.

This resolution to take effect and be in force from and after the passage thereof.

CHAPTER III.

A JOINT RESOLUTION,

APPROVED—January 2, 1819.

Resolved, by the General Assembly of the State of Indiana, That Harbin H. Moore be authorized to employ some fit person to make and erect a suitable paling around the grave of Edmund Hogan deceased, late a member of the General Assembly from the county of Gibson, and that the Treasurer of State pay the same when audited, out of any money in the treasury not otherwise appropriated.

CHAPTER IV.

A Joint Resolution of the Senate and House of Representatives.

APPROVED—January 1, 1819.

Resolved, by the General Assembly of the State of Indiana, That the sum of ninety one dollars, received by Daniel C. Lane, as Treasurer of the State of Indiana, in Bank notes, seventy one dollars on the Bank of the Kentucky Insurance Company, and twenty dollars on the German Bank of Wooster, which were good and current when received, but have since become of no value, be considered the loss of the State, and not the loss of the Treasurer, so long as said banks respectively remain insolvent.

CHAPTER V.

A Joint Resolution, authorizing the transfer of prisoners from the county of Lawrence to the jail of Orange county.

APPROVED—January 1, 1819.

*Resolved by the General Assembly of the State of Indiana, That the Sheriff of Lawrence county be, and he is hereby authorized to convey to the jail of Orange county, any person or persons who may have been, or who may hereafter be, committed to the prison of said county of Lawrence, on a charge of any criminal offence, at any time or times previous to the completion of a jail in the said county of Lawrence. And the keeper of the jail in the county of Orange aforesaid (who is hereby required to receive in the said jail for safe keeping) all such person or persons transferred as aforesaid, and him, her or them safely keep, as if he, she or they had been committed on charge or charges of any criminal offence or offences committed within the said county of Orange: *Provided*, that the board of county commissioners of Lawrence county shall from time to time (who are hereby authorized so to do) order to be paid out of the county treasury of their county, all legal expenses attending such transfer and safe keeping of all such prisoners as aforesaid, any law or custom to the contrary notwithstanding.*

Duty of the
keeper of the
jail of Or-
ange county

CHAPTER VI.

A Joint Resolution.

APPROVED—January 2, 1819.

Resolved by the General Assembly of the State of Indiana, That the public printer strike eighty copies of the act fixing the time of holding courts, and eighty copies of the act in amendment of the revenue act, and transmit two copies of each act to each member of the General Assembly immediately.

CHAPTER VII.

A Joint Resolution of the Senate and House of Representatives of the State of Indiana.

APPROVED—January 4, 1819.

Resolved by the Senate and House of Representatives, That the Secretary of State be, and he is hereby directed to forward to each of our Senators and to our Representative in Congress certified copies of the joint resolution passed by the General Assembly at the present session, instructing them on the subject of fugitives from service.

TREASURER'S REPORT.

The Treasurer, in obedience to the act of the General Assembly entitled "An Act concerning the Auditor of Public Accounts and Treasurer of State," submits the following:

That there was remaining in the Treasury on the 29th of November, 1817	\$4,195 74
That from the 29th of November, 1817, to the 16th of December, 1818, there has been received on loan	5,000 00
Within the periods above mentioned there has been paid into the Treasury by sundry sheriffs	14,717 82
	<hr/>
	23,913 56
Within the period above mentioned there has been paid at the Treasury, in discharge of the Territorial Debt	66 66
In payment of the officers of the executive	2,078 00
In discharge of the contingent expenses of government.	108 11 1-2
In the payment of the officers of the judiciary	5,207 15
In the payment of the members of the General Assembly and incidental expenses thereon	9,753 45
In payment of the interest on the loan	1,084 00
In payment of claims for Wolves destroyed	823 00
In payment of the Militia	126 80
	<hr/>
Making the sum of	49,247 13

Leaving in the Treasury on the 16th
of December, 1818

4666 38

23,913 56

Respectfully submitted.

DANIEL C. LANE, *Treasurer of State.*

*ERRATA of the laws passed at the 2d Session of the
the General Assembly of the state of Indiana :*

Page.	Line.	Errors.	True reading.
5	20	hereafter	<i>hereinafter</i>
6	20	omission	<i>the</i>
6	25	the	<i>a</i>
6	26	shall adjourn	<i>stand adjourned</i>
7	15	omission	<i>or decree</i>
12	21		<i>specially, after otherwise</i>
12	37	where	<i>when</i>
13	3	omission	<i>then, before out</i>
14	11	hereafter	<i>heretofore</i>
14	20	or	<i>of</i>
22	14	hereafter	<i>hereinafter</i>
22	19	omission	<i>or, before on</i>
25	4		<i>the, before bail</i>
33	41	by	<i>of, before the equity</i>
		of	<i>in, before bill</i>
34	33	officer	<i>office</i>
36	17	accounts	<i>account</i>
43	40	within	<i>without</i>
49	4	omission	<i>an, before action</i>
59	18	them	<i>they</i>
60	28	the	<i>all</i>
64	15	omission	<i>of the peace</i>
66	1	addition	<i>to be</i>
72	9	omission	<i>and require</i>
75	in caption	crime & punish- ment	<i>crimes & punishments</i>
76	9	county	<i>country</i>
79	9	performing	<i>performance of</i>
79	15	omission	<i>or other</i>
79	18		<i>as</i>
81	19		<i>of</i>
86	23		<i>a</i>

93	25		debt or
94	29	addition	shall, before forfeit
96	26	omission	to cheat
98	15		or plaintiffs
103	8	addition	if, before the
104		omission	next, before term
104	42		in court
107	19	to	by, before the pl'ff.
111	32	of	or, before justice
119	9	omission	which, after upon
119	25		or hereditaments
120	32		or shall hereafter be
			seized or possessed
124	24		and, before in
143	36	Vender	Vendee
146	34	ipse	ipso
150	9	omission	Provided always
150	16	letter	later
151	40	municipative	nuncupative
155	15	omission	poor
157	42	or	of, before removal
190	2	purchase	such case
190	6	omission	Administrators
190	32	evidence	avoidance
191	5	mortgager	mortgagee
193	18	emission	or
206	7	back	rack
206	14	changed	charged
207	43	thereof	hereof
209	36	addition	not, before voluntary
228	8	cases	causes
243	16	review	view
266	36	allowed	allowing
268	26	value	balance
276	2	omission	order to be
278	12	addition	no, before objections
279	27	appoint	apportion, before to each

287	23	omission	paying
295	29	militia	military
303	29	politic	corporate
313	1	omission	is, before in
320	6		other
322	41	prosecuting	presenting
335	1	omission	courts, and in the same, before
			manner.
341	1		or going, before adrift
342	3	statue	stature
353	31	omission	one half of, before all.
379	17	grantors	grantees
380	19	omission	as required
381	24	Treasury	Treasurer.

Errata of the Special Acts, passed at the second Session of the General Assembly of the State of Indiana.

Page.	Line.	Error	True reading.
103	1	embarkment	embankment.

Errata of the Act regulating the Militia.

Page.	Line.	Error.	True reading.
5	1	Ripley	Randolph.
6	34	on	one.
52	26	respectively	necessarily.
63	31	by	be.

**SECRETARY'S OFFICE,
CORYDON, February 18, 1819.**

I DO CERTIFY, that in obedience to the directions of an act of the General Assembly of the State of Indiana, this edition of the laws of said State has been carefully collated with, and corrected by, the original rolls that were delivered to me, and now remain on file in my office.

R. A. NEW,
*Secretary of State, for
the State of Indiana.*

INDEX.

A

APPEAL,

May be taken from the Board of Commissioners to the Circuit Court,

75

APPROPRIATIONS,

General, for 1819

95

Specific,

139

ARNOLD CREEK,

See act to erect a Bridge over the mouth of

132

ASSOCIATE JUDGES,

May grant Change of Venue

52

To file Petition for Change of Venue in the Clerk's office, with their decision thereon

54

Shall enter the report of Trustees of Schools on record

59

May hear and determine by jury any claim made to a fugitive from justice

65

B

BARRICKLOW, JOHN & G. CUMMINS,

Authorized to build a Bridge over Laughery Creek

135

BEEF,

To be inspected

79

BOARD OF COMMISSIONERS,

At their November term may grant redress to persons whose property has been overrated

66

May appoint Township Listers

67

In certain cases may appoint a Collector

ibid

Shall annually assess a road Tax

70

U

[ii]

Clerk of, shall furnish Supervisor with List of Road Tax	70
May appoint persons to settle with the Supervisor	71
To determine the expediency of adopting the act supplemental to the act for opening roads and highways	ibid
May appoint Superintendants to contract for the building and erecting Bridges	75
May receive Subscriptions for building Bridges	ibid
May authorize individuals to erect Toll Bridges	76
Shall appoint Inspectors of Flour, Beef and Pork	77

BOND,

To be given by applicants for transfer of suits in Chancery to S. Court	46
To be given by Justices of the Peace	48

BRIDGES,

May be erected by authority of the Board of Commissioners	75
---	----

C

CHANCERY,

Supreme Court to have original jurisdiction in,	45
Cases of original jurisdiction in, when and how transferred	46
Persons applying for transfer to give bond	ibid

CHANDLER ASAPH,

See act authorising him to sell certain lands,	119
--	-----

CLERKS,

Of Supreme Court, shall docket suits in Chancery transferred	46
Of C. Court to give transcript of Chancery cases	ibid
Of C. Court shall notify Justices of the Peace to give bond	50
Of C. Court shall forward or receive papers on change of Venue	52
Of C. Court may transact business by deputy	86

[iii]

COLLECTORS,

May be appointed by Board of Commissioners	97
--	----

COUNTIES, NEW

Formation of Owen	96
Floyd	99
Fayette	103

COURT, SUPREME

When to have original jurisdiction in Chancery	45
Vested with power to issue writs &c.	46
May have criminal jurisdiction in certain cases	47

COURT, CIRCUIT

Shall not set aside indictments found by the Grand Jury in 1818, on account of their not being summoned in pursuance of a law of this State	56
---	----

COURTS,

Terms of	60, 61, 62 & 63
----------	-----------------

COURTS, PROBATE

Judges of, when interested in the settlement of intestate estates, the same to be adjusted by the Circuit Court	
---	--

CRIMINALS,

May be tried in the Supreme Court	47
-----------------------------------	----

D

DAVIDSON, SALLY

Divorced, see act for	133
-----------------------	-----

DEBTORS,

Relief granted to, in certain cases,	68
--------------------------------------	----

DESCENTS,

Widow's portion of personal estate	92
------------------------------------	----

DICKERSON, ABIGAIL

See act for relief of

117, 118

DOCKET,Of one Justice of the Peace may be deposited with
another

49

DUBOIS COUNTY,

Proceedings of Commissioners of, legalized

90

DUELLING,Oath more effectually to prevent by whom
to be taken

82 & 3

Penalty on those neglecting to take such oath

84

Giving, accepting, or carrying a challenge

Ibid.

Fighting a duel

85

Who shall fail to inform of

*Ibid.***E****EXECUTION,**Stay of for one year, when the creditor will not re-
ceive current paper,

68

Or when he neglects to instruct the Justice or clerk
not to receive certain current money,

69

Certain articles of property exempt from

87

F**FAYETTE County,**

Formation of from Franklin and Wayne

103

Boundaries of

Ibid.

Courts when to be holden

105

FLOYD,

Formation of the county of, from Clark and Harrison

99

Boundaries thereof

100

Courts when to be holden

101

FLOUR,

To be inspected

79

FRANKLIN County,

Proceedings of the Commissioners legalized

89

FUGITIVES from service,

How reclaimed

65

G**GEORGE-TOWN,**

See the act to vacate a part of

132

GIBSON County,Commissioners of to appoint Trustees of the
Princeton Academy

93 & 4

Agent of, may convey to Trustees a certain lot

*Ibid.***H****HARTFORD,**Trustees to dispose of certain property for the
benefit of a public Seminary

114, 15 & 16

HEMPSTEAD THOMAS,See the act authorizing him as guardian of Henry
Vanderburgh to convey certain lands

129

HIGHWAYS,

See roads

HURST JOHN Jr.

See act for the relief of

127

I**INSPECTION,**

Of flour, beef, and pork

79

Penalty for exporting without 79

INSPECTORS of Flour &c.
Their power and duty 80

J**JURIES,**

When to be summoned for the counties of Warrick,
Posey, and Vanderburgh 55

Grand Indictments found by in 1818 shall not be set
aside by the C. Court on account of their not be-
ing summoned in pursuance of a law
of this state 56

Shall present supervisors for neglect of duty 74

JUSTICES of the Peace,

Now in commission shall give bond within 60 day 48
Those hereafter to be commissioned shall give bond
&c. *Ibid.*

Penalty for administering oath previous to giving bond 49

Absenting themselves for 30 days shall deposit their
docket with some other Justice of the peace *Ibid.*

May transfer judgments to their own dockets *Ibid.*

To have exclusive jurisdiction to the amount of \$50 50

Penalty on, for failing to deposit his docket as re-
quired by this act *Ibid.*

Proceedings of, on a claim made to a fugitive from
justice 65

L

LAURENCEBURGH,
See act to vacate a part of 134

LEWIS JACOB, & LAW WILLIS,
See the act for the relief of 116 & 17

LISTERS,

Their power and duty 67

LOCAL ACTS.

See act providing for the speedy printing of 119

M**MANSTEALING,**

Additional punishment inflicted therefor 64

MEDICAL Society,

Style of 77

May elect delegates *Ibid.*

Powers and duty *Ibid.*

Penalty on Physicians, Surgeons &c. who shall prac-
tice without license 78

MILITIA,

Officers of when new regiments are laid off shall
retain their rank 92

To be called out by companies 93

Shall pass ferries, and bridges toll free *Ibid.*

MILLS,

Owners of horse mills subject to the same regu-
lations &c. as those of Water mills 78

Toll allowed 79

O**OWEN,**

Formation of the county of, from Sullivan & Davies 96

Boundaries thereof *Ibid.*

Courts when to be holden 97

P**PRESIDENTS of Circuit Courts,**

Shall when interested be incompetent to try Chan-
cery cases 45

In capital cases shall inform S. court of such

incompetency	46 & 7
May grant change of <i>Venue</i> and when	52
Shall file petition for change of <i>Venue</i> in the clerk's office with his decision thereon	54

PERRY County,

See the act authorizing the qualified electors thereof to elect certain officers	128
--	-----

PORK,

To be inspected	79
-----------------	----

PRINTING and distributing the Laws,

See the act authorizing the same	123
----------------------------------	-----

R

REPEAL.

Of so much of the act entitled, "An act to divide the state into four circuits approved Jan. 28, 1818 as respects the time of holding the circuit courts in the 1st 3d and 4th circuits	64
Of part of the 3d section of the act to "prevent manstealing"	64
Of part of the 12th, 14th, and 20th sections of an act for assessing and collecting revenue	66
Of part of the 4th section of an act concerning clerks	91
Of an act to encourage the killing of Wolves	<i>ibid.</i>

RESOLUTIONS,

Authorizing the transfer of prisoners from the county of Lawrence to the county of Orange	145
Relative to the printing certain acts	146
Of the Senate and House of Representatives to the Sec'y. of state	<i>ibid.</i>

ROADS,

Who shall be liable to work on	69
Penalty on those obstructing of	72
What deemed public	74

ROMAN C. CHURCH at Vincennes,

An act to revive	121
------------------	-----

S

SCHOOLS,

Appropriations of rats from School sections, how made	57
Teachers of, shall make return of the number of scholars	<i>ibid.</i>
Trustees of, shall keep and deliver over to their successors a record of their proceedings	59
Trustees of, shall report to the Probate Court	<i>ibid.</i>

SEMINARIES PUBLIC,

Trustees of, may loan money	68
-----------------------------	----

SHERIFFS,

Shall notify President or Associate Judges of a claim made to a fugitive from justice	65
In such case shall summon a jury	<i>ibid.</i>
May transact business by deputy	86
For relief of,	89

SULLIVAN COUNTY,

Part of, attached to the county of Vigo	107
---	-----

SUPERVISOR OF ROADS,

Shall furnish the names of landholders	70
May receive the tax in work at the rate of 75 cts. per day	70
May prosecute delinquents after three days notice	<i>ibid.</i>
Penalty on failure to pay over money	71
Shall prosecute those who shall obstruct roads	72
May excuse those unable to work on roads	74

STEPHEN C. STEVENS,

Authorized to build a toll bridge over Plumb Creek	111
--	-----

STURGEON JOIN,

An Act for relief of,	131
-----------------------	-----

TRUSTEES,

Of Congressional or Townshy Schools, shall make appropriations of rents from shool sections semi-annually	57 & 8
Shall keep and deliver over to ther successors a record of their proceedings	59
Shall report to the Probate Court	ibid
Of public Seminaries, may loan money and commence suit on bond	68
Of Hartford, may sell certain land, &c.	114

TERMS,

Of Court Supreme	63
Circuit Courts	60, 61, 62, 63

TAX,

For opening Roads	70
May be paid in work	ibid
Of non-residents, (for roads) how collected	71

V

VENUE,

Change of, may be granted by President or Associate judges	51
When granted Clerk shall forward the papers	52
Allowance to purveyor of papers	53
Liability of Clerk for negligence of the Purveyor	ibid
Order of the Judge to be deposited with the Clerk	ibid
No change of, to the county where either party resides, nor more than one removal	ibid
Notice of, to be given to the opposite party	54
Party failing to obtain the change of, to pay 5 dollars	ibid

W

WOLVES,

Act giving bounty for the scalps of, repealed	61
---	----